DOCUMENT RESUME

ED 296 677 HE 021 580

AUTHOR	Andes, John
TITLE	Resources and Guidelines for Effective Evaluation.
SPONS AGENCY	West Virginia Board of Regents, Charleston.
PUB DATE	88
NOTE	78p.
PUB TYPE	Guides - Non-Classroom Use (055) -- Tests/Evaluation Instruments (160)
EDRS PRICE	MF01/PC04 Plus Postage.
DESCRIPTORS	*Administrator Evaluation; Court Litigation; Employment Practices; *Evaluation Methods; *Faculty Evaluation; Faculty Promotion; Guidelines; Higher Education; *Personnel Policy; Productivity; Rating Scales; Student Evaluation of Teacher Performance; Tenure

ABSTRACT

A guide to faculty evaluation is presented for use as the content for an institutional workshop or for use by individual faculty or administrators for their professional development in the area of evaluation. Purposes of evaluation include: providing a basis to recognize superior performance and to offer faculty development activities, providing records for personnel decisions, and relating faculty performance to institutional mission. Legal and professional issues are identified, along with sources of data for evaluation. Contents cover: preparing a productivity report for each faculty member; guidelines for observation data; peer participation in evaluation; preparing letters for annual review and/or promotion and tenure recommendations; guidelines for evaluation conferences; recommendations for institutional action on administrator evaluation; time lines using the calendar year model; constitutional rights; personnel procedures issued by the West Virginia Board of Regents; selected federal and West Virginia court cases that relate to evaluation, promotion, or tenure; and use of student evaluations of faculty. Included are sample student evaluation of faculty forms and administrator evaluation forms. 37 references. (SW)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED296677

RESOURCES & GUIDELINES FOR
EFFECTIVE EVALUATION

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☑ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

JOHN ANDES

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."

Prepared by John Andes

Through The Support of The

West Virginia Board of Regents

Charleston, W. Va.

HE 021 580

RESOURCES AND GUIDELINES

FOR

EFFECTIVE EVALUATION

Prepared by

John Andes

Through the Support of the

West Virginia Board of Regents

Charleston, W.Va.

1988

John Andes, Coordinator
Off Campus Programs
and Graduate Services

College of Human Resources
and Education
807 Allen Hall, P.O. Box 6122
Morgantown, WV 26506-6122

Phone 304 293-3637

INDEX

Preface 1
Introduction 2
Purpose of Evaluation Activities..... 2
Assumptions 3
Process 4
Terms/Definitions 5
Legal/Professional 6
Sources of Data 7
Preparation of Productivity Report..... 8-9
Faculty Evaluation/Academic Productivity Report Outline 10-13
Observation Data 14
Student Evaluation Data 15
Peer Participation 16
Criteria for Evaluation, Promotion/Tenure 16
Special Considerations 17
Special Conditions 18
Enhancement Suggestions.....19-20
Evaluation/Promotion/Tenure Report
For All Tenure and/or Promotion Letters..... 21-22
Evaluation Conference/Improvement Plan 23
Hearings 24
Administrator Evaluation 25
Time Lines 26
What Seems to Work 27
Bibliography 28-30

APPENDIX

A. Essential Elements in Effective Evaluation 31
B. Selections From the Constitution of the United State of America ... 32
C. Selections From the Constitution of West Virginia 33-34
D. Selections From Policy Bulletin No.36 35-36
E. Court Cases 37-49
F. Guidelines for the Solicitations of Outside References 50-51
G. Sample Student Evaluation Forms, Process, Documents 52-61
H. Administrator Evaluation Sample Forms, Letters, Components 62-71
I. Guidelines for Evaluation of Part-Time Faculty 72

Preface

Faculty and administration in higher education are constantly facing the need for accountability for personnel actions. While the evaluation of students is accepted by faculty as a requirement, faculty are less ready to accept their evaluation by subordinate, superordinate or their peers. Evaluation must be institutionally developed with involvement by all affected if it is to have any impact on what happens in the classroom.

This resource handbook is designed to provide documents, ideas, plans, processes that can be used as the content for an institutional workshop or by individual faculty or administrator for their professional development in the area of evaluation. Each of the sections focuses on concepts which need to be discussed and examined.

The bibliography contains references that should be found in every college or university library for reading and study by professionals.

The author acknowledges the assistance of the West Virginia Board of Regents, David Powers, Harry Faulk, Diane Reinhard, Katherine Lovell and Allen Roberts and many other college faculty and administrators. The author, alone, is responsible for any errors.

A very special thanks to Suzanne Snyder, the Advisory Council of Faculty, the Advisory Council of Students, and Advisory Council of Deans for the initiation, support, and review throughout the process of development.

A warm thanks to Janet Burkle for her word processing skills and patience with me.

INTRODUCTION

"The central purpose of higher education, through a quality faculty, is to further educate the populace in addition to developing their critical thinking and communication skills, and providing them with the ability to self-educate themselves throughout life. Evaluation is central to developing and maintaining a quality faculty." Dr. Patricia W. Doamaux, Advisory Council of Faculty

Evaluation must be continuous, comprehensive and mission based in order to assess how well this function is being achieved at each institution. Quality instruction includes content, delivery and accessibility. Research includes not only the development of new knowledge but also the translation of ideas and concepts into terms that can be understood and used. Service not only includes activities in the institution but economic and intellectual activities in our cities, towns and valleys.

All employees are entitled to know how well they are performing in their positions and to have an opportunity to improve their performance. This requires not only evaluation of performance but skills in helping our faculty and staff improve after the evaluation is completed. Evaluation is not a secret process. The person being evaluated is entitled to know the results at each step of the process and has the right to respond at each step.

There are no secrets about personnel actions. Make sure all of the actions can stand legal scrutiny.

PURPOSE OF EVALUATION ACTIVITIES

1. To provide a basis for encouraging, recognizing, and rewarding superior performance.

2. To provide a systematic process that will ensure that all persons are offered an equal opportunity for quality education.

3. To provide a basis for individualized and group faculty development activities.

4. To provide a cumulative record that results in the best possible promotion and tenure decisions.

5. To provide data for subsequent personnel decisions.

6. To consistently relate faculty activities and performance to the institutional mission.

7. To recognize that there are no perfect teachers and that everyone has at least one area or item for improvement.

ASSUMPTIONS

1. The key to high quality performance over time is high expectations effectively communicated and rewarded.

2. The person being evaluated is the most competent individual to provide the basic data for the evaluation.

3. All employees, including administrators must be evaluated in a systematic manner if faculty evaluation is to be effective or have any meaning. Faculty must believe that all employees are being treated equally.

4. Persons one level above, at the same level and one level below are most knowledgeable about and able to evaluate a person.

5. A single act, incident, or evaluation is no more than that. Evaluation is an ongoing process that is cumulative.

6. All evaluation must be job performance related to be valid. Personal characteristics and behaviors may be considered as they affect job performances.

7. Persons evaluated are entitled to know the recommendations and decisions at each level before the next level begins. These should be in writing and accompanied by a conference. An opportunity to respond in writing should be provided.

8. Criteria for evaluation, promotion and tenure must be institutionally developed by faculty and administrators and must reflect the institutional mission(s).

9. Provision must be made for special circumstances.

10. Make the evaluation system work. Annual incremental adjustments by a standing committee to improve the process are essential.

11. Use as many data sources as possible in order to have the most complete evaluation picture.

12. Student evaluations have value but must be used as only one variable in the evaluation process.

13. Institutional expectations on service, research, publication, and other activities must be clearly stated in the institutional policy as an integral part of faculty load.

PROCESS

Don't eliminate what has been developed. Take time to examine current policy and practice. Make notes of ideas. Have all involved make notes of problems. Use a committee in April and May to review the notes and make draft revisions. These can be distributed to faculty, staff, student leadership, and administrators in August and discussed the first of September.

Involvement in and understanding of the evaluation process is crucial if performance and attitudes are to be changed. Employees need to be involved in determining the content of and process for evaluation as well as participating in the evaluation of their fellow employees.

Training sessions are an essential part of evaluation. Administrators and committee members should have an annual training session and an annual review session where recommendations for change are discussed and policy reviews recommended. External consultants are beneficial every few years for an outside perspective. Internal faculty and administrators can conduct the annual sessions.

If classroom observation is required, training sessions for the observers using video tapes of actual classrooms are important so that inter-rater reliability is developed and documented. Most colleges have the equipment to make the video tapes.

Candidates for promotion and tenure should be afforded a training session to enable them to make the best presentation of their data. This session should be conducted by the faculty members on the institutional or college committee.

TERMS/DEFINITIONS

Substantive Due Process - The content of due process including the rights provided by the United States and West Virginia Constitutions:

a) no establishment of religion
b) free exercise of religion
c) free speech
d) free press
e) peaceable assembly
f) petition for redress of grievances
g) no unreasonable search or seizure
h) not deprived of life, liberty or property
i) equal protection
j) no ex-post-facto law or policy
k) no religion or political test

Procedural Due Process - The sequential steps listed in policy are provided in the correct sequence.

Reliability - Confidence in the consistency of evaluations and rating. Non capricious. Agreement across evaluators on the same data.

Validity - Instruments, terms and interpretations actually describe and/or measure what they claim.

Evaluation Content - The major categories specified in institutional policy that the evaluation is to include. For example; classroom instruction, research, scholarly productivity, institutional service, professional service, professional development.

Criterion - Specific written expectations that further define and clarify the the evaluation content areas: for example; classroom instruction: evidence shall include student evaluation data, peer observation data, course syllabus and other documents, course exams.

Indicator - An explicit, observable, describable or measurable statement that if present in appropriate quantity and/or quality means that a specific criterion has been achieved. For example; student evaluations, at least one-fourth of the items, at least one standard deviation above the mean for at least ten courses over at least two years. Course syllabus and bibliography revised.

Legal/Professional

The satisfaction of the objective criteria for tenure or promotion does not entitle a faculty member to promotion or tenure but does require procedural due process including reasons for not awarding and a hearing if requested.

Care should be taken that the name and reputation of faculty, staff and administrators should not be publicly harmed by the evaluation process.

All faculty members (especially first year faculty) have the right to know the reasons for non renewal or dismissal and the right to a hearing where the charge(s) must be proved.

Decisions should be based upon written documents.

Committee (peer review, promotion, tenure) actions are recommendations to appropriate administrators. The final decision is the president's.

If serious problems are found in substantive or procedural due process, it is normally appropriate to grant an extra year of employment and begin the process over the following year.

Extreme care must be taken for employee rights if program reduction or elimination is proposed.

Extreme care should be taken in the drafting of a letter of non renewal or dismissal. Legal advise must be followed.

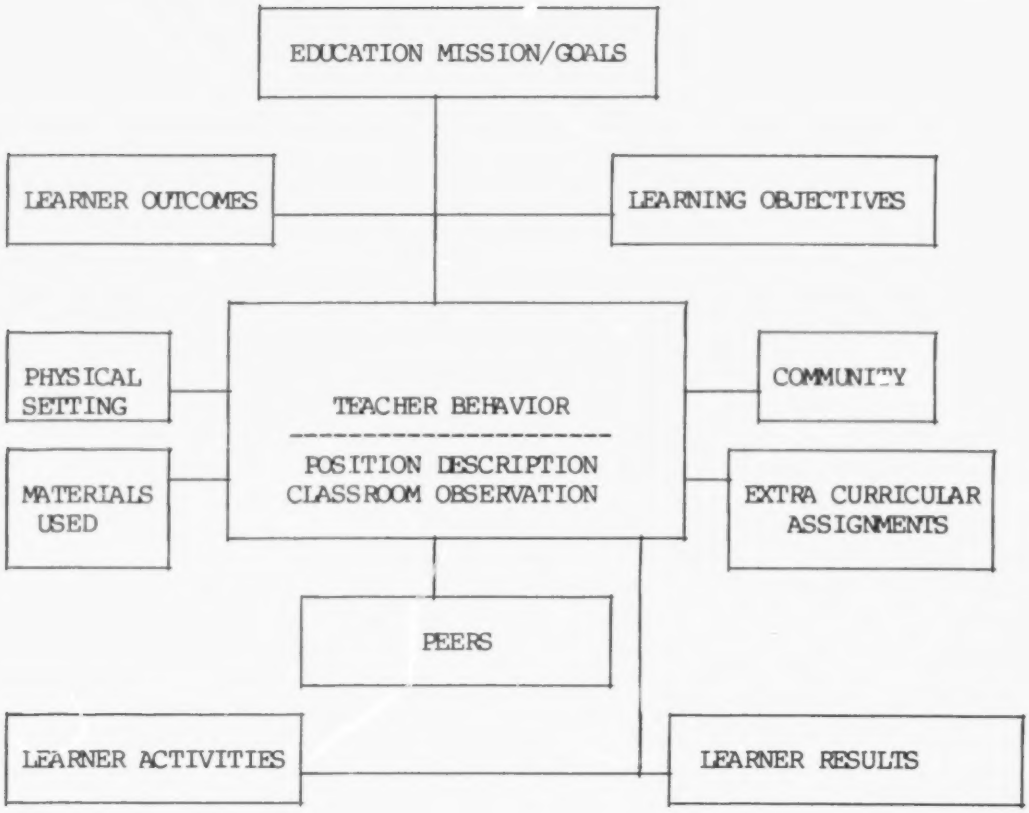
Employees are entitled to remain on the payroll until their procedural due process steps or time frame have been completed unless there is a clear and present danger to person, property, or academic process.

Standards/criteria for promotion may be changed and the change implemented for continuing employees. Time must be provided for continuing employees before implementing new standards.

Administrators are responsible for the actions of their employees. This becomes critical in cases where discrimination of civil rights violations are claimed. Administrators become liable if they knew or reasonably should have known that their actions would deprive a person of any civil rights.

As long as evaluative written comments relate to the data available and to the legitimate evaluation function by a faculty member or administrator, the evaluator has at least qualified privilege if a law suit is filed.

SOURCES OF DATA
FOR EVALUATION



Effective evaluation uses as many of the sources of data as possible. The Annual Productivity Report should be structured to provide the opportunity for faculty to report data on all of the sources.

The Report should be for the calendar year unless it is the basis for a promotion or tenure decision; then it should include all of the years since the last promotion or the date of employment in a tenure decision.

PREPARATION OF PRODUCTIVITY REPORT

The productivity report for each faculty member is crucial. Each faculty knows what has occurred better than anyone else.

The long list of elements for the report are designed to provide examples of all types of information that could be presented. No institution will use all of the examples.

When the productivity report is used for evaluation it should cover all of the activities begun or completed during the evaluation period (normally one year).

The candidate is responsible for the development of the file of accomplishments prior to January 1 of the year in which he or she is being evaluated or seeks promotion and/or tenure. Only information requested in writing by committees or administrators can be added after formal submission.

Each file should be accompanied by a dated and signed log, developed by the program administrator, that lists each item in the file. If material is added to the file after the January 1 deadline, that should be noted in the log. Post-deadline additions are allowed only under unusual circumstances in which further information is necessary for the Promotion and Tenure Committee to proceed with the review.

Extra data needed for promotion and/or tenure decisions:

A. Candidate's Statement -- A personal statement by the candidate will be submitted to document professional growth in respect to teaching, research, and service. This statement, for example, may include the candidate's philosophy of teaching and how it has been refined, research and scholarly interests, how subjects and/or methodological interests have changed, past activities and future plans for instruction, and research and service in relationship to overall goals and responsibilities. The final section of the personal statement should include a listing of supplementary material provided, clearly labeled, with a brief statement of why each has been included in the file. This file should include copies of manuscripts, reprints, papers, and other evidence of research and scholarship.

B. External Review -- Research and scholarship is usually undertaken to make a contribution to knowledge and thought in the candidate's area of expertise. Judgments about the value of the candidate's contributions can be validated by individuals outside of the institution whose expertise matches or exceeds those of the candidate. For this reason, each candidate is to provide his/her administrator with the names of five (5) individuals whose expertise qualifies them to review the candidate's research and scholarship. External reviewers should not have been associated with the candidate in any of the following ways during the past five (5) years: (1) as a fellow faculty member, (2) as a fellow doctoral student, or (3) as a doctoral advisor or advisee. The administrator will secure, by January 1, reports from at least three (3) external reviewers. Reviewers will be asked to describe the candidate's contribution to development of knowledge and professional thought in his/her area of expertise.

C. Summary of Achievements in Teaching/Research/Service -- The "Faculty Evaluation/Academic Productivity Outline(s) will be completed for the time frame from last promotion for candidates for promotion or for all years since employment for candidates for tenure. This form will be completed by the candidate and the institution may require verification by the immediate supervisor for accuracy before formal submission. This form represents the format for providing documentation of teaching, research, and service activities. Student evaluation data should be included.

D. Vita — Complete curriculum vita

E. Annual Reviews — Copies of all annual reviews, from administrators and faculty committees, since last promotion (for candidates for promotion) or since employment (for candidates for tenure) will be included. An institution may allow prior annual reviews to be included at the choice of the faculty member.

F. Supplementary Material — Any documents the candidate believes are pertinent.

FACULTY EVALUATION/ACADEMIC PRODUCTIVITY REPORT OUTLINE*

College_____ Division_____

Program_____ Reporting Period_____

Faculty Member_____ Rank_____

FTE in Dept._____ Yrs @ Instit._____ Date/Current Rank_____

Administrative Position _____ Date/Tenure _____

I. Education/Employment History:

A. Educational Background: (List degrees received, institutions and dates, list degree for which you are working and list progress towards the degree during the reporting period)

B. Previous Professional Experience: (List positions held, institutions/corporations, ranks and dates)

C. Honors, Awards and Special Recognitions:

II. Teaching and Related Activities:

A. Classes: (Include credit and non credit instructional activities for reporting period; summer instruction should be included)

Term	Course #	Title	Credit Hours	Enrollment	Location of Course	Course Evaluation Conducted **

* This represents an outline that organizes all elements to be presented for the candidates productivity record covering the evaluation period or since the time of last promotion or from initial employment at institution for a candidate for tenure. (Adapted from the document developed by the College of Human Resources and Education, W.V.U., Diane L. Reinhard, Dean.

** Summary of student evaluations should be attached; observation forms, peer evaluation forms and self evaluation forms should be attached.

B. Supervision:

Term	Course #	Title	Credit Hours	# of Students	Location of Supervision

C. Advising:

1. Academic Program Advisees Officially Assigned:

Program	Number	Number Graduated
Associate		
Bachelors		
Masters		
Doctoral		
Non-Degree		

2. Doctoral Committees:

Name of Student	Chair or Member	Is Dissertation in Process?	Graduated During Reporting Period?

3. Masters Committees:

Number		Names of Students Graduated During Report Period
Chair	Member	

D. Curriculum/Program Development:

1. Description:

2. Exhibits (what and where):

E. Development of Teaching Techniques and/or Course Materials:

1. Description:

2. Exhibits (what and where):

III. Research and Scholarly Activity

A. PUBLICATIONS

Indicate type (book, chapter in book, monograph, article in refereed or widely recognized journal, article in other journal, technical report, etc.). Use correct bibliographical style.

Bibliographical Citation	Type	Co-Author(s) and Candidate's Contribution To Publications
1.		
2.		

B. Professional Presentations: (with a written presentation at professional meetings)

1. International/National:

Title/Description	Sponsor/Place/Date	Reviewed for Selection

2. Regional/State/Local:

Title/Description	Sponsor/Place/Date	Reviewed for Selection

C. Grants and Contracts: (Include submitted and awarded)

Title	Agency to which Submitted	Requested Amount	Action

D. Research in Progress:

Title/Description	Anticipated Date of Completion	Funding Source	Amount of Grant/ Contract

IV. Professional Service:

A. Service to the Area, Division, College, University: (e.g., committees, other responsibilities such as major responsibility for preparation of accreditation reports).

Activity	Level	Role	Term	Frequency of Meeting

B. Service to Local, State, Regional, National and International Audiences: (e.g., non-written presentations, lectures, symposium participation at professional meetings; consultation; serving on accreditation teams; conducting in-service workshops).

Activity	Occasion	Role	Place	Date

C. Professional Offices: (e.g., serving as elected or appointed officer, reviewer, program committee)

Role	Organization	Frequency of Meeting

V. Public Service

Activity	Organization	Number Served

VI. Professional Development

Activity	Date

VII. Special Assessments

_____ _____

Faculty Member Date

REVIEW AND VERIFIED:

_____ _____

Immediate Supervisor Date

A log of this and all supporting documents shall follow this page.

GUIDELINES FOR OBSERVATION DATA

The observer must have training as to the meaning of items on the instrument and demonstrate the ability to recognize the presence or absence of an item.

Data must include: date, length of observation, course, number of students, level of course, observer, signature.

Data could include:

a) Physical setting
   1. appearance
   2. materials used/available
   3. equipment used/available
   4. adequate stations
   5. conducive to learning

b) Faculty member activities
   1. relationship to pre conference/lesson plan
   2. knowledge of material
   3. organization of material
   4. use of supplemental materials
   5. use of instructional aids
   6. use of multiple instructional techniques
   7. response of questions
   8. communicates on level of students
   9. appropriate evaluation instruments
   10. appropriate evaluation standards
   11. prompt return of materials
   12. efficient use of class time
   13. classroom control/management
   14. laboratory preparation
   15. out of class assignments (library, project, papers, homework)
   16. oral expression - grammar - positive - expectancy
   17. routine tasks (roll, records, funds)
   18. management of disruptive behavior
   19. introduction - background - content - closing
   20. use of examples

c) Student activities
   1. attention
   2. questions asked - relevance - assignments - thought
   3. information provided
   4. understanding of content
   5. quality of work
   6. quantity of work
   7. evidence of student initiative
   8. evidence of learner differences met
   9. redirected when off tasks or does not understand

Records must be maintained for all observation activities. A copy of each document must be provided to the employee.

Upon request of the faculty member an additional observation will be conducted. Another observer may be advisable.

STUDENT EVALUATION DATA

1. The more students in a class the greater the reliability of the data; less than ten the mean rating has marginal reliability; 15-39 reasonable mean rating reliability; 40+ highly reliable rating using the mean.

2. There is no need for signed forms when a confidential process is followed and the whole class participates.

3. The more classes included in the evaluation the more reliable the mean ratings. 5 to 10 classes of 20 plus students is adequate.

4. The more different courses included in the evaluation the more reliable the mean ratings as some are required, more quantitive, etc.

5. The longer the time span covered in the evaluation the more reliable the mean ratings.

6. The instrument must be carefully developed using research findings and analyzed periodically. It may use open ended questions, a rating scale or both.

7. The more general the items the better the comparison across units and for use in personnel decisions.

8. The more specific the items the better for use in improvement of instruction.

9. Normally an institution should purchase a well developed standard instrument. (See appendix)

10. The faculty member should not be present while students are completing the instrument.

11. The faculty member should not handle the instruments after the students have completed them.

12. The faculty member should not receive the analyzed data and the instruments until after the grades for the course have been issued to the students.

13. Recognize that several factors do influence student ratings. This does not make the data invalid; it only means that the factor must be considered. The major factors are: higher student grades, higher student class rankings (senior), smaller classes, faculty expressiveness and elective courses.

14. Student evaluation data must not be the ONLY source of information for the evaluation of instruction but it should be ONE.

15. It is possible for a faculty member to manipulate student evaluations to some extent, but so can they manipulate the other data sources to some extent.

16. The procedural steps in student evaluation are more likely to be examined by a court if they are not followed than whether students can evaluate faculty. Therefore enforce your process.

PEER PARTICIPATION

Faculty peers are one excellent source of evaluation data. Their participation should be structured and training should be provided.

Peers can do observation of classroom performance directly or by video using the observation guidelines.

Peers can be the first level review for annual evaluation, merit, promotion or tenure. A formal selection process must be in place, normally by prior election. Small units may need to elect one or more evaluators from similar units.

All persons participating should sign any evaluation statement and retain notes relating to the evaluation.

External peer reviews should be considered as a normal requirement for promotion and tenure cases where a review of research and publication is needed.

Evaluators must exercise confidentiality of data and comments. Discussion must be only with those entitled to know.

The peer review includes classroom observation:

a) Multiple observers must observe multiple classes in order to have adequate data.

b) All evaluators/observers must have prior training in observation in order for the results to have inter-rater reliability.

CRITERIA FOR EVALUATION, PROMOTION AND TENURE

Exercise care in writing criteria. All criteria must be performance related. Personal characteristics can be used only if performance related.

The use of quantitative standards to set an eligibility threshold is appropriate: years of experience in higher education and at an institution; academic preparation.

Be careful to state in the policy that these only qualify a person for consideration. Promotion and tenure are based on more than numerical check points.

Acknowledge the reality of professional judgment, especially for peer and administrator decisions.

Whether in a productivity report or not; whether supplied by an individual or not; as many data sources as possible should be used. Self-evaluation, student evaluation, graduate follow-up, observation, curriculum materials, research reports, publications, peer evaluations, recommendations, presentations, etc. The greater the range of data sources used, the greater the probability of an accurate evaluation.

SPECIAL CONSIDERATIONS

1. If a faculty member is assigned to two or more units, each unit must conduct the annual review and promotion/tenure evaluation when appropriate. One unit should be designated as the home unit, which should maintain the file and validate the productivity report.

2. All temporary and part-time faculty should be evaluated annually. This becomes crucial if they later become tenure track faculty and desire the time as temporary faculty to count. This requires presidential approval and must be in writing at the time of change of status.

3. Faculty members initially employed for one-half year or more may elect to count the period as a full year towards tenure. This should be decided during the second or third year and placed in the faculty member's personnel file.

4. Faculty members must initiate the request for tenure or promotion. Failure to so request and provide the appropriate data should be considered as evidence that the promotion or tenure should not be awarded. An institution may allow other faculty members or administrators to nominate a faculty member for promotion or tenure.

5. Administrators who hold faculty rank should be included in the faculty evaluation. This is crucial if they do not have tenure or the rank of professor.

6. It is the recommendation of the consultant that the review period should be the calendar year rather than the academic year. This better fits the Board of Regents time frame and provides for the review when faculty members are present and doesn't rush the process. This would mean that the productivity report is to be completed by January 1.

7. In the year when a faculty member is a candidate for promotion and/or tenure:

   An Annual Faculty Review <u>is</u> conducted at the program level for the calendar year in which he/she is a candidate. For example, if he/she is seeking promotion and/or tenure this year, he/she will prepare an annual productivity report and undergo regular annual review for previous calendar year.

   Develop a <u>cumulative</u> productivity report by January 1 of the year in which you are a candidate. The cumulative productivity report for candidacy this year, for example, <u>includes</u> the previous calendar year.

   The results of the annual reviews in the program are included in the dossier for promotion and tenure.

   The cumulative report, along with external reviews, documentary evidence, and prior annual evaluations become the basis for the promotion or tenure recommendations made by all subsequent levels.

8. At each level of review/evaluation the affected individual must have the opportunity to respond in writing to the report/recommendation. Additional data should not be allowed. It becomes unfair to faculty members who are not allowed the opportunity or who cannot provide the needed data.

9. If merit pay becomes available, the annual reviews/evaluations and the recommendations contained within them can be the basis for such awards.

10. The Board of Regents policy requires or implies that all faculty should be evaluated.

    Non-tenure track faculty should be evaluated if:

    a. there is any possibility of continuation of the appointment
    b. they have an academic assignment which has faculty functions (regardless of the prefix of clinical, research or visiting).
    c. they are part-time

    This is important because:

    a. every employee is entitled to know how well they are doing
    b. they may become a candidate for a tenure-track position
    c. they may request a reference
    d. they may wish to continue in their current part-time or faculty related appointment.

SPECIAL CONDITIONS

Special Position Descriptions

Department Chairs, with the Dean, shall identify those tenured or tenure-related faculty members who have unique position descriptions. For each unique position, the appropriate department chair, in consultation with affected faculty member, shall develop a suitably revised productivity report and list of criteria for assessment. These materials shall be submitted to the peer review committee and used as the basis for evaluation after approval by the Dean.

Part-time Temporary Faculty

Each department chair or dean shall be responsible for developing a policy statement which outlines a process and criteria for annual evaluations of those faculty who teach a course, supervise interns or assume other responsibilities appropriate to department goals. Student evaluations of instruction should be expected if instructional responsibilities are assigned. The Dean must approve the process and criteria.

Externally Funded Faculty

Non-tenure related faculty, full or part-time, on grants and contracts shall be evaluated annually through a process developed by the unit director and approved by the Dean. Copies of the approved process shall be filed with the President.

ENHANCEMENT SUGGESTONS FOR EFFECTIVE EVALUATION
(Based on comments by Suzanne Snyder)

1. As soon as possible after a new faculty member signs a contract, an initial conference should be held with the department/division chair-person in which the contractual and adjunct expectations of his employment should be clearly stated and discussed. Expectations relevant to the department/division, the institution, and the system of higher education (i.e. relevant policy bulletins) should be discussed at this time.

   Faculty members who continue to serve beyond the initial contract period should be advised of changes in divisional, institutional and system expectations prior to signing new employment contracts.

2. Student evaluations of faculty performance should focus on content more than teaching style. Particularly in cases where students are enrolled in courses above the 200 level, evaluation forms should include carefully structural questions designed to reveal what the student has LEARNED in the course rather than how he responds to particular teaching styles.

3. Faculty members who receive numerical scores as a result of chairperson evaluation or administrative evaluation should receive an accompanying set of comments delineating the criteria employed in arriving at such decisions, particular areas of success or difficulty, and suggestions for improvement.

4. A system of rewards to recognize faculty members whose evaluations are consistently high should be devised. Since increases in salary are sometimes not an option, other opportunities should be developed such as (a) opportunity to teach advanced or experimental sections (b) released time activities, and (c) an option to utilize available travel funds for special conferences which complement or enhance his work.

5. Institutions should experiment with the development of individual subject/faculty contracts whereby a faculty member identifies a special goal for each school year which will enhance progress. The faculty member and the division chair should record that goal and measure and discuss progress toward it prior to the renewal of his contract. Thus the faculty member has the opportunity to identify critical and meaningful improvement areas and both the faculty member and the chair can see tangible individual and institutional improvement in teaching performance.

6. Institutional evaluation practices should be entirely consistent with descriptions provided in faculty handbooks and promotion and tenure guidelines.

7. Part-time faculty should be oriented regarding the division/department philosophy and evaluated at the end of each semester. Evaluations should be reviewed carefully and oral conferencing should be held to discuss problems and progress. Part-time faculty should be required to meet with the full division or department at the outset of employment and periodically as changes are made in curriculum and course focus.

8. Faculty should receive evaluation scores and all relevant comments in sufficient time to make necessary revisions and improvements prior to the beginning of the next semester.

9. Institutional descriptions of faculty-evaluation forms and procedures should precisely identify differences in annual merit and status change (promotion and tenure) evaluations.

10. Attempts should be made to focus on faculty evaluation activities which will improve faculty performance and assist in meeting institutional goals. In those cases where faculty evaluation reveals an area of weakness in faculty performance, clear and specific professional development activities, of both a short and long range nature, should be explored by the faculty member and chairperson or academic dean. In those cases where faculty evaluation reveals unusual faculty skills in a particular area, opportunities should be explored which will harness those skills or talents to meet institutional goals.

11. If observations of faculty teaching are utilized, they should be carried out under an institution-wide set of guidelines and should focus on positive recommendations for improvement.

12. Faculty evaluation procedures should be expanded to clarify appropriate criteral for the evaluation of faculty coordinative, supervisory and service activities.

EVALUATION/PROMOTION/TENURE REPORT

At each step, the administrator or committee should review the institutional Policies and Procedures for Faculty Evaluation and the Tenure/Promotion Policies and Procedures for general instructions. In addition, administrators and review committees should consider the following special instructions as they prepare letters for annual review and/or promotion and tenure recommendations.

1. The letter should include a description of the candidate's accomplishments in all areas recognized by the institution and a quality judgment statement for each area. The judgment statements should communicate the committee's and administator's assessments of the accomplishments:

   Are they outstanding?
   Are they deserving of special commendation?
   Do they meet standards of satisfactory achievement?
   Are they in some way lacking and less than satisfactory?

   The judgment statement should be accompanied by a clear rationale that supports the judgment.

   The letter should provide enough descriptive and explanatory information so that subsequent users of the letter, including the candidate, can understand the rationale supporting the judgment of quality. For example, a brief description of the national or international status of a journal in which the candidate's material has been published would be most informative, as would a list of other chapter authors and their professional status as indicators of the distinction of chapter authorship. For presentations and invited addresses to professional groups, information about the nature of competition for presentation acceptance, the relative importance of the professional group, and/or the number and some representative names of individuals invited to address the group would be very valuable support for judgment statements.
   Any suggestions for the candidate should be logically linked to the content of the review letter.

2. The tone of the letter is important, and administrators and committees should take care to avoid emotionally charged words and overgeneralizations.

3. The last paragraph of an evaluation letter should clearly state the recommendation of support for or against retention, tenure, and/or promotion."... The written evaluation must be signed by all members of the committee, the vote shown, dated, and forwarded to the next level. Committee members may include a minority decision statement in the recommendation..."

4. Administrators should include at least one recommendation for improvement for each faculty member as part of the annual review. This recommendation should be negotiated with the faculty member and should state specific activities and resources needed to accomplish the activities, and time frame. This should be reviewed and the results described in the next annual review.

For all tenure and/or promotion letters:

Letters being developed should also include the following information: The letter prepared at the initial level of review for Promotion/Tenure should begin with a paragraph which contains the following candidate history: (a) description of degrees and institutions, (b) history of employment at the institution, (c) years of previous promotions and tenure (if appropriate). Subsequent letters of review do not need to repeat this background paragraph.

SUGGESTED GUIDELINES FOR EVALUATION CONFERENCES

1. The purpose of the conference is to assist and improve an employee. Every employee should be provided suggestions for improvement. An improvement plan should be developed if deficiencies are serious.

2. Plan what you want to accomplish. Think it through. Don't provide surprises even to yourself. Put your ideas into writing. Review prior observations and evaluations.

3. Begin the conference by asking the employee how they felt the observation, evaluation went. Sit where you and the employee are level and can see and hear each other. Provides copies of all documents as needed.

4. Listen, listen, listen!

5. Respect confidentiality. Do not discuss with others unless you need their assistance or to report to your superior.

6. Take time for the conference. Don't allow interruptions even as a teacher should not allow interruptions to a class.

7. Discuss suggestions for improvement and/or improvement plan. Be willing to improve your written draft through revisions. Listen to their recommendations.

8. Don't argue! The employee may request additional observation and evaluation or file a grievance. Be professional! To the extent you can agree, do so!

9. Close conference with summary and copy of any plans or agreements in writing.

10. If an employee has multiple areas of deficiency, an improvement plan should be mutually developed. The plan should include:

    a) deficiency (limit to 3-5)
    b) activity to correct
    c) assistance needed to correct, who will provide
    d) time frame
    e) evidence of activity
    f) signatures

11. Follow up using time frame and check to see if criteria are being accomplished.

HEARINGS

Grievance should be settled at the lowest level possible and as informally as possible.

Options for grievances by faculty are found in Policy Bulletin 36 and 18-29 of the West Virginia Code.

In the informal stage administrators must learn to listen, not only to what is being said, but how it is said. Special care should be followed to consider what is not being said.

Each unit should have a person trained who can advise employees what their options are; how to proceed; and to provide copies of relevant policy.

Time lines are crucial. Be sure you understand and meet them. By mutual agreement they can be extended.

To the extent possible, all administrators and evaluation/promotion/tenure committee members should go through one of the training sessions for grievance evaluators/hearing officers.

ADMINISTRATOR EVALUATION

For a faculty or staff evaluation system to be both effective and accepted, an administrator evaluation system must be functioning. Both systems should use the same time frame.

There are three basic models for administrator evaluation: position description, functions and combination of both. (See Appendix H for examples)

Administrators can be evaluated by persons one level above and below them in the organization as they are most knowledgeable. Any evaluation beyond these levels is suspect. This includes persons with whom the administrator interacts on a regular basis.

At least one area or suggestion for improvement should be given to every administrator. To date I have not met a perfect administrator and it sets an excellent precedent for faculty evaluation. Activities and time frame need to be specified.

Follow-up on the area or suggestion for improvement is crucial.

Recommendations for Institutional Action on Administrator Evaluation by Karry Guillory

1. Since administrators occupy an important and influential position in the overall effectiveness and efficiency of an institution, all colleges and universities should formally evaluate the performance of their administrators annually.

2. Institutions that are developing or reviewing their administrator appraisal system should seek broad input from their constituency and should ensure their plans meet the essential components of an effective plan as identified in this study.

3. Due to the complex nature of the task, institutions considering the development of an administrator evaluation plan should consider employing a consultant.

4. Institutions should periodically review their appraisal system to ensure its continued effectiveness.

5. Once an appraisal plan is developed institutions should ensure than those responsible for implementing the plan-- both the supervisors and those they evaluate--are provided training.

6. Some means should be found to communicate the findings of this study regarding the essential components of an effective system to practitioners in higher education (and in business and industry). At present, there appears to be an enormous gap between what is known and current practice.

7. When institutions of higher learning attempt to undertake tasks for which they have little experience, they should attempt to learn from the experiences of profit and other non-profit organizations.

Time Lines Using the Calendar Year Model

Time Lines for Annual Evaluation for Faculty, (with 3 or more years experience) and Promotion and Tenure Decisions

1/1 Deadline for turning in productivity report
2/1 Deadline for first level reviews for tenure and promotion
2/15 Deadline for first level annual review
3/15 Deadline for second level review for tenure and promotion
3/15 Deadline for second level annual review
5/1 Deadline for presidential decisions notice on promotion
5/15 Deadline for presidential decision notice on tenure decision for 9 month faculty
5/15 Deadline for annual review of evaluation, promotion and tenure policy and procedure. Recommendations for change to appropriate places and persons.
6/30 Deadline for presidential decision notice on tenure decision for 12 month faculty
9/15 Notification of faculty of evaluation, promotion and tenure policy and procedure.
10/15 Identification of candidates for promotion if external reviews are required.

Special Time Lines for Annual Evaluation First Year Faculty Using the Calendar Year Model

1/1 Deadline for turning in productivity report
1/15 Deadline for first level review
1/31 Deadline for second level review
3/1 Deadline for presidential decision notice to faculty

Special Time Lines for Annual Evaluations for Second Year Faculty Using the Calendar Year Model

With written faculty approval, an institution can use time lines for three or more years with understanding of commitment to a third year contract.

11/1 Deadline for turning in productivity report
11/15 Deadline for first level review
11/30 Deadline for second level review
12/15 Deadline for presidential decision notice to faculty

WHAT SEEMS TO WORK

I have been asked several times by faculty and administration "what seems to work. We don't want to reinvent the wheel." My responses have included:

1. Faculty are responsible to provide the data.
2. Use the calendar year for the time frame.
3. Required student evaluation data are one source.
4. Annual revision to correct problems.
5. Special understandings in writing.
6. Training for observers and committee members to provide consistency, reliability.
7. Pre-evaluation conferences.
8. At least one suggestion for improvement is made to each person evaluated.
9. The more different types of data the more accurate.
10. An administrator evaluation system is functioning.
11. Adjunct and part-time faculty are included in the evaluation process.
12. Recognize professional judgment and no effort to qualify or rank individuals.
13. Observers are trained.

BIBLIOGRAPHY

BOOKS

Aleamoni, Lawrence M., Techniques for Evaluating and Improving Instruction, San Francisco: Jossey-Bass, 1987.

Alkin, Marin, Richard Daillak and Peter White. Using Evaluations. Beverly Hills: Sage Publications, Inc., 1979.

Anderson, C. Lester. The Evaluation of Academic Administrators. University Park: Center for the Study of Higher Education. Pennsylvania State University, 1975.

Anderson, Scarvia. Encyclopedia of Educational Evaluation. San Francisco: Jossey-Bass, 1975.

Benton, Sidney. Rating College Teaching: Criterion Validity Studies of Student Evaluation of Instruction. ASHE-ERIC Higher Education Report No. 1, American Association of Higher Education, 1982.

Berk, Ronald A. (ed.). Educational Evaluation Methodology. Baltimore: The Johns Hopkins University Press, 1981.

Browder, Lesley. Emerging Patterns of Administrative Accountability. Hempstead, New York: Hofstra University, 1971.

Centra, John A. (ed.). Renewing and Evaluating Teaching. San Francisco: Jossey-Bass, 1977.

Centra, John A. Determining Faculty Effectiveness. San Francisco: Jossey-Bass, 1981.

DeRoche, Edward F. An Administrator's Guide for Evaluating Programs and Personnel. Boston: Allyn and Bacon, 1981.

Donald, Janet B. and Arthur M. Sullivan, eds. Using Research to Improve Teaching. New Directions for Teaching and Learning. No. 23. San Francisco: Jossey-Bass, 1985.

Doyle, Kenneth O. Evaluating Teaching, D.C.: Heath, 1983.

Doyle, Kenneth O. Student Evaluation of Instruction. Lexington, Mass.: Lexington Books, 1975.

Dressel, Paul L. Handbook of Academic Evaluation. San Francisco: Jossey-Bass, 1976.

Dunn, Rita and Kenneth J. Dunn. Administrator's Guide to New Programs for Faculty Management and Evaluation. New York: Parker Publishing Company, Inc. 1979.

Farmer, C.H. Administrator Evaluation: Concepts, Methods, Cases in Higher Education, Higher Education Leadership & Management Survey, 1979.

French-hazovik, Grace (ed.) Practices That Improve Teaching Evaluation. San Francisco: Jossey-Bass, 1982.

Gaba, Egon G. and Yvonna S. Lincoln. Effective Evaluation. San Francisco: Jossey-Bass, 1981.

Genova, W.J., M. Madoff, R. Chin, & G. Thomas. Mutual Benefit Evaluation of Faculty and Administrators in Higher Education, Ballinger, 1976.

Licata, Christine M. Post-Tenure Faculty Evaluation: Threat or Opportunity. ASHE-ERIC Higher Education Report No. 1. Association for the Study of Higher Education; ERIC Clearinghouse on Higher Education, Washington, D.C. 1986.

McKeachie, W.J., ed. Learning, Cognition, and College Teaching: New Directions for Teaching and Learning, No. 2, Jossey-Bass, 1980.

Madaus, Airasian Kellagh. School Effectiveness. New York: McGraw-Hill, 1981.

Miller, Richard L. Evaluating Faculty for Promotion and Tenure. San Francisco: Jossey-Bass, 1987.

Miller, Richard L. Developing Programs for Faculty Evaluation. San Francisco: Jossey-Bass, 1975.

Miller, Richard L. Evaluating Faculty Performance. San Francisco: Jossey-Bass, 1972.

Millman, Jason (ed.) Handbook of Teacher Evaluation. Beverly Hills, California: Sage Publications, 1981.

O'Connell, William R. and Steven H. Smartt. Improving Faculty Evaluation: A Trial in Strategy. Atlanta: Southern Regional Education Board, 1979.

Popham, W. James. Educational Evaluation. Englewood Cliffs: Prentice-Hall, 1975.

Rossi, Peter H., Howard F. Freeman, and Sonia Wright. Evaluation A Systematic Approach. Beverly Hills: Sage Publications, 1979.

Seldin, Peter. Faculty Evaluation Practices in Liberal Arts Colleges: A Comparison of Survey Results 1973 vs. 1983. Pleasantville, New York: Pace University, 1983.

Seldin, P. How Colleges Evaluate Professors. New York: Blythe-Pennington, 1975.

Seldin, Peter. Successful Faculty Evaluation Programs, a Practical Guide to Improve Faculty Performance and Promotion/Tenure Decision. Cruger, New York: Coventry Press, 1980.

Smith, A., ed. Evaluating Faculty and Staff: New Directions for Community Colleges, No. 41, Jossey-Bass, 1983.

Smith, Albert B., Faculty Development and Evaluation in Higher Education. Washington: AAHE, 1976.

Struening, Elmer L. and Marcia Guttentag (eds.) Handbook of Evaluation Research. 2 vol. Beverly Hills: Sage Publications, 1975.

Tuckman, Bruce Wayne. Evaluating Instructional Programs. New York: Allyn and Bacon, 1979.

Whitman, N. and E. Weiss. Faculty Evaluation: The Use of Explicit Criteria for Promotion, Retention and Tenure. AAHE-ERIC Higher Education Research Report No. 2, American Association of Higher Education, 1982.

APPENDIX A

ESSENTIAL ELEMENTS IN EFFECTIVE EVALUATION

1. Job Related - Performance - Job Description
2. Faculty Involvement in Development and Revision - Knowledge
3. Systematic - Time - Instruments - Performance Standards - Procedure
4. Communication - Pre/During/Post - Listen - Written - Talk
5. Orientation for New Faculty
6. Cumulative - Records
7. Used - Prescription - Improvement Plan - Follow Up
8. Training - Validity - Reliability
9. Appeal - Review - Assistance - Referral
10. Uniqueness - Individual - Special Needs - Equity Not Equality

These elements can be used in training sessions as an overview for evaluators and evaluatees. They can be cues for discussion and to generate questions.

APPENDIX B

SELECTIONS FROM THE CONSTITUTION OF THE UNITED STATES OF AMERICA

ARTICLE I

Section 8. .... provide for the common Defence and general Welfare of the United States ....

Section 10. No State shall .... pass any Bill of Attainder, ex-post-facto Law, ...

AMENDMENT I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

AMENDMENT IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

AMENDMENT V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

AMENDMENT X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

AMENDMENT XIV [1868]

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

APPENDIX C

SELECTIONS FROM THE
CONSTITUTION OF WEST VIRGINIA

ARTICLE III
Bill of Rights

1. All men are, by nature, equally free and independent, and have certain inherent rights, of which, when they enter into a state or society, they cannot, by any compact, deprive or divest their posterity, namely: The enjoyment of life and liberty, with the means of acquiring and possessing property, and of pursuing and obtaining happiness and safety.

3. Government is instituted for the common benefit, protection and security of the people, nation or community. Of all its various forms that is the best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration; and when any government shall be found inadequate or contrary to these purposes, a majority of the community has an indubitable, inalienable, and indefeasible right to reform, alter or abolish it in such manner as shall be judged most conducive to the public weal.

4. ... No bill of attainder, ex post facto law, or law impairing the obligation of a contract, shall be passed.

6. The rights of the citizens to be secure in their houses, persons, papers and effects, against unreasonable searches and seizures, shall not be violated. No warrant shall issue except upon probable cause, supported by oath or affirmation, particularly describing the place to be searched, or the person or thing to be seized.

7. No law abridging the freedom of speech, or of the press shall be passed; but the Legislature may, by suitable penalties, restrain the publication or sale of obscene books, papers, or pictures, and provide for the punishment of libel, and defamation of character, and for the recovery, in civil actions, by the aggrieved party, of suitable damages for such libel, or defamation.

10. No person shall be deprived of life, liberty, or property, without due process of law, and the judgment of his peers.

11. Political tests, requiring persons, as a prerequisite to the enjoyment of their civil and political rights, to purge themselves by their own oaths, of past alleged offenses, are repugnant to the principles of free government, and are cruel and oppressive. No religious or political test oath shall be required as a prerequisite or qualification to vote, serve as a juror, sue, plead, appeal, or pursue any profession or employment. Nor shall any person be deprived by law, of any right, or privilege, because of any act done prior to the passage of such law.

15. No man shall be compelled to frequent or support any religious worship, place or ministry whatsoever; nor shall any man be enforced, restrained, molested or burthened, in his body or goods, or otherwise suffer, on account of his religious opinions or belief, but all men shall be free to profess and, by argument, to maintain their opinions in matters of religion; and the same shall, in nowise, affect, diminish or enlarge their civil capacities and the Legislature shall not prescribe any religious test whatever, or confer any peculiar privileges or advantages on any sect or denomination, or pass any law requiring or authorizing any religious society, or the people of any district within this State, to levy on themselves, or others, any tax for the erection or repair of any house for public worship, or for the support of any church or ministry, but it shall be left free for every person to select his religious instructor, and to make for his support such private contracts as he shall please.

16. The right of the people to assemble in a peaceable manner, to consult for the common good, to instruct their representatives, or to apply for redress of grievances, shall be held inviolate.

APPENDIX D

WEST VIRGINIA PROCEDURAL RULES
WEST VIRGINIA BOARD OF REGENTS
CHAPTER 18-26
SERIES III

SUBJECT: POLICY BULLETIN NO. 36

Section 5. Promotion in Rank

5.1 Within the following framework, each President shall establish, in cooperation with the faculty or duly-elected representatives of the faculty, guidelines and criteria for promotion in rank:

5.1.3 There shall be no practice of granting promotion routinely or because of length of service, or of denying promotion capriciously.

5.1.4 The institution shall provide copies of its general guidelines and criteria for promotion to the Board of Regents and shall make available such guidelines and criteria to its faculty.

5.2 Promotion shall not be granted automatically, but shall result from action by the President of the institution following consultation with the appropriate academic units.

Sction 7. Tenure

7.1 Tenure is designed to ensure academic freedom and to provide professional stability for the experienced faculty member. It is a means of protection against the capricious dismissal of an individual who has served faithfully and well in the academic community. Continuous self-evaluation, as well as regular evaluation by peer and administrative personnel, is essential to the viability of the tenure system. Tenure should never be permitted to mask irresponsibility, mediocrity, or deliberate refusal to meet academic requirements or professional responsibilities. Tenure applies to those faculty members who qualify for it and is a means of making the teaching and research profession attractive to persons of ability. There shall be demonstrated evidence that tenure is based upon a wide range of criteria such as: excellence in teaching; accessibility to students; professional and scholarly activity and recognition; significant service to the college community; experience in higher education and at the institution; possession of the doctorate, special competence, or the highest earned degree appropriate to the teaching field; publications and research; potential for continued professional growth; and service to the people of the State of West Virginia. Ultimate authority regarding the application of guidelines and criteria relating to tenure shall rest with the institution.

7.2 In making tenure decisions, careful consideration shall be given to the tenure profile of the institution projected enrollment patterns, staffing needs of the institution current and projected mission of each department/ division, specific academic competence of the faculty member, and preservation of opportunities for infusion of new talent. The institution, while not main-

taining "tenure quotas," shall be mindful of the dangers of losing internal flexibility and institutional accountability to the citizens of the State as the result of an overly tenured faculty. Tenure may be granted only to people in positions funded by monies under the Board of Regents' control.

7.3 Tenure shall not be granted automatically, or for years of service, but shall result from action by the President of the institution following consultation with appropriate academic units.

7.4 Tenure may be granted at the time of appointment by the President. In the case of probationary appointees, tenure may be attained only by faculty who hold the rank of Assistant Professor or above.

8.4 During the probationary period, contracts shall be issued on a year-to-year basis, and appointments may be terminated at the end of the contract year. During said probationary period, notices of nonreappointment may be issued for any reason that is not arbitrary, capricious, or without factual basis. Any documented information relating to the decision for nonretention or dismissal shall be provided promptly to the faculty member upon request.

Section 9. Faculty Evaluation

9.1 All faculty, except tenured faculty, shall receive a yearly written evaluation of performance directly related to responsibilities as defined by the institution.

9.2 Tenured faculty shall be similarly evaluated at least every third year.

9.3 Evaluation procedures shall be developed at the institutional level, and a copy sent to the Board of Regents and filed in the Central Office. "Such procedures must be multidimensional and include criteria such as peer evaluations, student evaluations, and evaluations by immediate supervisors."

APPENDIX E

COURT CASES

Selected Federal and West Virginia court cases are presented. The key words from each decision that relate to evaluation, promotion or tenure have been abstracted from the legal reporters. No comments by the author have been added.

These cases provide opportunity for discussion and questions.

ORR v. CROWDER
____ S.E.2d ____ (WVa 1978)

... We believe that it is fundamental under Roth and Perry, as well as under McLendon and related cases, that before a protected property interest, such as a right to tenure, can be found, something more than a unilateral expectation must be shown. Plaintiff must demonstrate that there existed some rules or understandings governing tenure eligibility fostered by the college upon which the college employees relied. We do not believe that the plaintiff can create in an ex parte fashion the rules or understandings tailored to the facts of her particular case.

...Mrs. Orr claims that her termination resulted from her criticism in the fall of 1975 of the administration's proposed plan for remodeling the Learning Resources Center. These criticisms were voiced in one or more meetings at which Drs. Adkins or Crowder were present and caused them to become angry with her. From this point on, the plaintiff claims that her relationship with them deteriorated. Even though her suggestions were ultimately accepted, she received an adverse evaluation from Dr. Adkins which both he and Dr. Crowder utilized as a reason for giving her a terminal contract in the spring of 1976.

... Thus, if we combine the foregoing principles, it is clear that in determining whether there is sufficient evidence to support a jury verdict the court should: (1) consider the evidence most favorable to the prevailing party; (2) assume that all conflicts in the evidence were resolved by the jury in favor of the prevailing party; (3) assume as proved all facts which the prevailing party's evidence tends to prove; and (4) give to the prevailing party the benefit of all favorable inferences which reasonably may be drawn from the facts proved.

...In the present case, the plaintiff did produce psychiatric as well as lay testimony that she suffered mental and emotional distress as a result of her termination. We, therefore, conclude that the trial court committed no error in refusing this instruction. Nor do we find any reversible error as to the plaintiff's damage instructions.

PERRY v. SINDERMANN
92 S. Ct. 2694 (1972)

...For at least a quarter-century, this Court has made clear that even though a person has no "right" to a valuable governmental benefit and even though the government may deny him the benefit for any number of reasons, there are some reasons upon which the government may not rely. It may not deny a benefit to a person on a basis that infringes his constitutionally protected interests -- especially, his interest in freedom of speech. For if the government could deny a benefit to a person because of his constitutionally protected speech or associations, his exercise of those freedoms would in effect be penalized and inhibited. This would allow the government to "produce a result which [it] could not command directly." Speiser v. Randall, 357 U.S. 513, 526. Such interference with constitutional rights is impermissible...

For this Court has held that a teacher's public criticism of his superiors on matters of public concern may be constitutionally protected and may, therefore, be an impermissible basis for termination of his employment. Pickering v. Board of Education...

In particular, the respondent alleged that the college had a de facto tenure program, and that he had tenure under that program. He claimed that he and others legitimately relied upon an unusual provision that had been in the college's official Faculty Guide for many years:

> "Teacher Tenure: Odessa College has no tenure system. The Administration of College wishes the faculty member to feel that he has permanent tenure as long as he displays a cooperative attitude toward his co-workers and his superiors, and as long as he is happy in his work."...

A written contract with an explicit tenure provision clearly is evidence of a formal understanding that supports a teacher's claim of entitlement to continued employment unless sufficient "cause" is shown. Yet absence of such an explicit contractual provision may not always foreclose the possibility that a teacher has a "property" interest in re-employment...

A teacher, like the respondent, who has his position for a number of years, might be able to show from the circumstances of this service--and from other relevant facts—that he has a legitimate claim of entitlement to job tenure...

...we agree that the respondent must be given an opportunity to prove the legitimacy of his claim of such entitlement in light of "the policies and practices of the institution." Proof of such a property interest would not, of course, entitle him to reinstatement. But such proof would obligate college officials to grant a hearing at his request, where he could be informed of the grounds for his nonretention and challenge their sufficiency...

BOARD OF REGENTS v. ROTH
92 S.Ct. 2701 (1972)

...The respondent had no tenure rights to continue employment. Under Wisconsin statutory law a state university teacher can acquire tenure as a "permanent" employee only after four years of year-to-year employment. Having acquired tenure, a teacher is entitled to continued employment "during efficiency and good behavior." A relatively new teacher without tenure, however, is under Wisconsin law entitled to nothing beyond his one-year appointment. There are no statutory or administrative standards defining eligibility for re-employment. State law thus clearly leaves the decision whether to rehire a non-tenured teacher for another year to the unfettered discretion of university officials...

A nontenured teacher, similarly, is protected to some extent during his one-year term. Rules promulgated by the Board of Regents provide that a nontenured teacher "dismissed" before the end of the year may have some opportunity for review of the "dismissal." But the Rules provide no real protection for a non-tenured teacher who simply is not re-employed for the next year. He must be informed by February 1 "concerning retention or non-retention for the ensuing year." But "non reason for non-retention need be given. No review or appeal is provided in such case."...

The requirements of procedural due process apply only to the deprivation of interests encompassed by the Fourteenth Amendment's protection of liberty and property. When protected interests are implicated, the right to some kind of prior hearing is paramount. But the range of interests protected by procedural due process is not infinite...

"Liberty" and "property" are broad and majectic terms. They are among the "[g]reat [constitutional] concepts . . . purposely left to gather meaning from experience . . . [T]hey relate to the whole domain of social and economic fact, and the statesmen who founded this Nation knew too well that only a stagnant society remains unchanged."...

The State, in declining to rehire the respondent, did not make any charge against him that might seriously damage his standing and associations in his community. It did not base the nonrenewal of his contract on a charge, for example, that he had been guilty of dishonesty, or immorality. Had it done so, this would be a different case. For "[w]here a person's good name, reputation, honor, or integrity is at stake because of what the government is doing to him, notice and an opportunity to be heard are essential."...

In such a case, due process would accord an opportunity to refute the charge before University officials. In the present case, however, there is no suggestion whatever that the respondent's "good name, reputation, honor, or integrity" is at stake.

Similarly, there is no suggestion that the State, in declining to re-employ the respondent, imposed on him a stigma or other disability that foreclosed his freedom to take advantage of other employment opportunities. The State, for example, did not invoke any regulations to bar the respondent from all other public employment in state universities. Had it done so, this, again, would be a different case...

It stretches the concept too far to suggest that a person is deprived of "liberty" when he simply is not rehired in one job but remains as free as before to seek another...

To have a property interest in a benefit, a person clearly must have more than an abstract need or desire for it. He must have more than a unilateral expectation of it. He must, instead, have a legitimate claim of entitlement to it...

. . . the respondent's "property" interest in employment at Wisconsin State University-Oshkosh was created and defined by the terms of his appointment. Those terms secured his interest in employment up to June 30, 1969...

Thus, the terms of the respondent's appointment secured absolutely no interest in re-employment for the next year. They supported absolutely no possible claim of entitlement to re-employment...

NORTON v. STONE
313 S.E.2d 456 (WVa 1984)

... Professor Norton appealed his final non-retention decision to the Board of Regents, who then appointed the respondent in the case before us, Ward D. Stone, Jr., as impartial hearing examiner.

Mr. Stone proceeded to give the petitioner a full hearing and concluded that Dr. Chapman's decision to deny Professor Norton tenure was "tainted" by Dr. Chapman's consideration of sixteen unsolicited letters to which Professor Norton had not had an opportunity to respond. The hearing examiner concluded that Professor Norton should have had an opportunity to present other letters from social agencies and students that might explain some or all of the negative incidents contained in the sixteen unfavorable letters that President Chapman had considered. However, the hearing examiner did not find that the denial of tenure to Professor Norton was arbitrary and capricious. Rather, he found a due process violation and concluded that Professor Norton should be given an additional year of regular, rather than terminal, employment during which he should be reevaluated for tenure by a new, broad-based tenure review committee composed of at least three tenured faculty members from outside the school of social sciences who should make a recommendation directly to the president. Mr. Stone's recommendation concluded as follows:

"This committee should receive all written evidence submitted, but not any oral testimony. All evidence submitted should be made available to Gareth W. Norton so that he can respond, if necessary. President Chapman should then-make his decision based only on the recommendation of the committee and on all of the materials, documents, letters and other evidence that had been considered by the committee. If the tenure review process of the Faculty Handbook is followed, the same persons will again be involved and, considering what has transpired in the last year, this would not be fair to the evaluators or to Gareth W. Norton."

We believe this recommendation was a sensible and proper one. Although this Court has a long-standing concern with the procedural propriety of administrative hearings, we have also recognized that technical deficiencies should not negate adjudications that are essentially fair...

Although we can envision a situation in which the president arbitrarily denies tenure, the hearing examiner finds arbitrary denial and awards an additional year of employment, the president again arbitrarily denies tenure and the hearing examiner again finds arbitrary denial and awards an additional year of employment, and so on ad infinitum, that is not the case before us. Indeed, as we read Mr. Stone's very thorough and exhaustive findings of fact we are persuaded that there are ample evidence on behalf of Professor Norton to justify an award of tenure. On the other hand, there are also ample unfavorable evidence that would have justified the president in denying tenure. The difficulty in this case arose largely because there were not sufficient tenured faculty members in petitioner's department to constitute a reliable tenure evaluation committee, and because evidence was submitted to President Chapman in the form of ex parte letters that were unsolicited by President Chapman but which were arduously solicited by Professor Norton's detractors. The Hearing Examiner was entirely correct, then in awarding Professor Norton an additional non-terminal year of employment and suggesting an impartial procedure that would be in the spirit of Policy Bulletin No. 36 but that would, nonetheless, avoid the disadvantages to the petitioner inherent in his position as Chairman of a very small department...

HOOPER v. JENSEN
328 S.E.2d 519 (WVa 1985)

The parties in this proceeding are in accord on the point that the termination of the petitioner's tenure-track position was not due to any questions relating to her performance, and was solely because of a reduction in the pathology program at WVSOM. Further, the petitioner maintains that at various times after she was given the terminal contract and subsequent temporary contracts, respondent Jensen assured her that he would transfer her back to a tenure-track position as soon as one became available. Respondent Jensen acknowledges that he did encourage the petitioner to be patient and has expressed cautious optimism regarding the likelihood of restoring her to a permanent position, but denies he ever made any promises concerning future appointments.

By letter dated September 24, 1984, respondent Jensen informed the petitioner that it was his intention not to renew her temporary appointment beyond June 30, 1985. At this time, respondent Jensen also informed the positioner that WVSOM would be accepting applications for a full-time, tenure track position as an Associate Professor of Pathology for the upcoming 1985-86 academic year. Prior to the commencement of the instant proceeding by the petitioner, respondent Jensen refused to place the petitioner in this vacant position and denied her request for an institutional-level hearing on the matter.

The principal question presented in this proceeding is whether the petitioner has been denied an entitlement accorded her under Board of Regents Policy No. 36, section 11. As previously noted, the petitioner's permanent employment status was terminated under this program reduction provision. The petitioner did not appeal the original termination decision at that time, nor does she directly challenge the validity of that action in this proceeding. Rather, the pettioner seeks to enforce her reinstatement right provided by the final portion of Policy Bulletin No. 36, section 11, subsection (a), which directs that:

If, within two years following the reduction or discontinuance of a program, a position becomes vacant for which the faculty member is qualified, the President shall make every effort to extend first refusal to the faculty member so terminated...

This Court does not question the respondents' authority to implement proposed structural changes in faculty positions as they determine are appropriate to preserve or improve the quality of teaching at WVSOM. But the proposed change in this instance remains just that--a proposal. There has not been an actual elimination or replacement of the existing vacant position; and mere assertions of possible changes cannot be used to deprive the petitioner of a right contractually accorded her by rules in effect during her employment...

"School personnel regulations and laws are to be strictly construed in favor of the employee."...

Accordingly, we hold that under West Virginia Board of Regents Policy Bulletin No. 36, section 11, a college or university president, upon learning of an imminent or existing faculty position vacancy, is under an affirmative duty to seasonably offer reinstatement to a qualified person previously terminated under that section...

STATE EX REL.
McLENDON v. MORTON
249 S.E.2d 919 (WVa 1978)

Relator bases her right to a due process hearing on the ground that the Board of Regents' tenure standards set out in its Amended Policy Bulletin No. 36 establish certain objective criteria which, if met, bestow a property interest sufficient to require that she be afforded a procedural due process hearing before tenure can be denied. The respondents, the Board of Regents and the Chancellor, deny that their tenure policy confers any property interest...

Section 8A of the Bulletin makes clear that tenure is intended to ensure academic freedom by protecting faculty members against capricious dismissal. Tenure is not granted automatically, "but shall result from action by the West Virginia Board of Regents upon the recommendation of the president following consultation with the department concerned." Obviously, and as is the case here, tenure is considered first by the college...

The regulations also provide for an evaluation process...

Of considerable significance is Section 8C of the Bulletin, which makes tenure available to all full-time employees who hold the rank of Assistant Professor or above. Equally significant is Section 9C of the Bulletin, which sets forth the maximum time periods within which the tenure decision must be made by the institution: "The maximum period of probation shall not exceed seven years; and at the end of six years any non-tenured faculty member will be given notice in writing of tenure, or offered a one-year written terminal contract of employment...."

These are the relevant provisions in regard to eligibility for tenure. It is clear from Section 11 of the Bulletin that once tenure is obtained, a faculty member cannot be dismissed except for six specified reasons, and is entitled to formal hearing procedures with the right to appeal to the Board of Regents...

We conclude that Professor McLendon had more than a unilateral expectation of tenure. With her rank of Assistant Professor, six years of teaching service and full-time employment in academic teaching, she met the eligibility criteria to make application for tenure. This does not mean, however, that she was automatically entitled to obtain tenure status. Both the Board's Bulletin and the College's regulations indicate that teaching competency is a further criterion for obtaining tenure. Competency involves an evaluation of a teacher's total professional skills. It is the basic substantive issue once the objective eligibility requirements are met.

However, satisfying the objective eligibility standards for tenure gave Professor McLendon a sufficient entitlement so that she could not be denied tenure on the issue of her competency without some procedural due process...

We also recognize that the determination of a teacher's qualifications is not limited to a narrow inquiry into his academic credentials, but encompasses a wide spectrum of qualities, not all of which may have the same significance. There is obviously a need to permit a latitude of discretion as the issue cannot be framed with mathematical precision or exactitude. What should not be tolerated is a wholly arbitrary and capricious selection process where the competent are turned aside in favor of those less qualified.

We conclude that minimal procedural due process necessitates a notice of the reasons why tenure is not extended and a hearing with an opportunity to submit evidence relevant to the issues raised in the notice. The hearing tribunal should be unbiased. If the teacher demonstrates that the reasons are wholly inadequate or without a factual basis, the administration would be required to show the contrary. See Board of Regents v. Roth, 408 U.S. at 585-86, 33 L. Ed. 2d at 565-66, 92 S.Ct. at 2713 (Douglas, J., dissenting). Because academic personnel are involved, we do not believe that the right to retained counsel at the hearing is obligatory unless the parties agree.

The factual issues at such hearing fall into two categories. First, whether the objective eligibility standards of full-time teaching employment, rank and time in service have been met. The second is whether the adverse decision with respect to her teaching competency was arbitrary and capricious or lacked any factual basis...

CLARK v. BOARD OF REGENTS
279 S.E.2d 169 (W.Va. 1981)

...While this Court has never before had occasion to address the question of what procedural safeguards are required by due process when dismissing a tenured professor, we have discussed on several occasions the procedural safeguards required when the state seeks to deprive one of an interest it has bestowed upon him...

The threshold question in any inquiry into a claim that an individual has been denied procedural due process is whether the interest asserted by the individual rises to the level of a "property" or "liberty" interest protected by Article III, Section 10 of our constitution. This question is easily decided in the instant case, as both sides agree that under Board of Regents v. Roth; Perry v. Sinderman; State ex rel. McLendon v. Morton, Dr. Clarke has both property and liberty interests warranting due process protection. Having satisfied the initial question of Dr. Clarke's entitlement to due process protection, our inquiry becomes what procedural due process is constitutionally required...

In applying the first factor enunciated in Waite, it is apparent that the protectable interests asserted by Dr. Clarke are of a very substantial nature. Unlike Waite, which involved a temporary suspension of a civil service classified employee, the instant case involves "[t]enure [which] once acquired is a substantial right. It ensures that the teacher cannot be dismissed except for the defined reasons which are set out in the Bulletin and then not until a full due process hearing has been held"...

It appears from the record that Dr. Clarke knew the substance of the charges against him and that is what the law requires. As we stated in Snyder, supra, "[u]ltimately, the sufficiency of the notice depends not on the rote following of some standard, but on whether the employee was informed with reasonable certainty and precision of the cause of his removal."

While we do not find the notice of dismissal so inadequate as to violate due process, we do note that the format and clarity of the dismissal letter are far from exemplary and but for the facts of this case it would have failed to meet minimum procedural due process standards. Ideally, the sufficiency of the notice should appear on its face...

Dr. Clarke's second substantial contention involves the hearing examiner's report. He argues that his right to review was rendered illusory by virtue of the failure of the hearing examiner to state the reasons for his recommendations and the evidence upon which he relied. The hearing examiner's seven-page report consists mostly of a recitation of the facts and the procedure of the case, along with relevant excerpts from the Bulletin...

The hearing examiner is not required by statute to make written findings of fact and conclusions of law, nor does the Bulletin specifically require him to state on the record the reasons for his decision or to specify the evidence which supports those reasons. The Bulletin does, however, require the hearing examiner to "enter such recommendations as the facts justify and the circumstances may require." (emphasis added). Clearly the Bulletin contemplates that the hearing examiner will make a reasoned determination which is supported by the evidence adduced at the hearing. At the very least, the hearing examiner should make some sort of findings on the record and indicate the evidence supporting those findings in order to demonstrate that he has fulfilled his obligations as a fact finder and has not acted arbitrarily and capriciously in reaching his conclusions...

The need for an adequate statement of the hearing examiner's reasons for his determination and the evidence supporting them is obvious. Our function as a reviewing court is to review the record to determine if the evidence adduced at the hearing supports the findings of the hearing examiner and whether his conclusions follow from those findings. We must rely on the facts and logic upon which the hearing examiner ruled...

A more troubling aspect of this case, however, and one which we must squarely confront, involves the question of whether the post-deprivation hearing afforded Dr. Clarke was adequate to protect his interests. He maintains that since he was removed from the payroll of the college some two weeks prior to the dismissal hearing and some ten months prior to the adoption of the hearing examiner's recommendations by President Hardway, he was deprived of substantial property and liberty interests without due process of law and in contravention of the Board's own policies...

...we note that while the United States Supreme Court in earlier cases found a presumption against post-deprivation review hearings within the traditional balancing test approach...

This Court has maintained a presumption that "due process must generally be given before the deprivation occurs unless a compelling public policy dictates otherwise."

We have also recognized, however, that the State may be justified in forgoing a pre-deprivation hearing when the person presents a "continuing danger to persons or property or an ongoing threat of disrupting the academic process..."

However, it is only in the most compelling circumstances, clearly apparent on the record, that the law may deprive one of his property before providing due process, and we cannot sanction the college's action in removing Dr. Clarke from the payroll before any final determination as to whether his dismissal was justified. Mindful of our presumption favoring pre-deprivation review but also mindful of the compelling interest of the college in preventing harm to the students, we think that a suspension of Dr. Clarke with the pay to which tenure entitles him, pending the outcome of the dismissal proceedings, would provide the best protection for these competing interests. Dr. Clarke's property interest in his salary would be maintained and, at the same time, the college's interest in the education of its students would be protected...

RANDOLPH v. BOARD OF REGENTS OF OKLAHOMA COLLEGES
648 P 2d 825 (Okla 1982)

Appellants are both currently employed by Central State University as assistant professors with tenure. In 1978, the Board of Regents amended certain promotion policies which altered the qualifications for consideration of promotion from Assistant to Associate Professor. Prior to 1978, eligibility for promotion required an earned doctorate degree OR have 75 hours of graduate credit and have 20 years as a full time member of the staff, in addition to other qualifications... These new criteria were issued May 18, 1978 by the Regents, and the Faculty Handbook of Central State University, issued December 19, 1978, reflected this change. The handbook stated "to be eligible for recommendation for promotion to associate professor, a faculty member must have held the rank of assistant professor for four years, have been employed by the university for five or more whole years, either be on tenure or have been recommended for tenure, and hold an earned doctorate" Plaintiff Randolph was denied consideration for promotion to associate professor on the basis of this change in consideration criteria on July 10, 1978. Plaintiff Hellstern would not be eligible for consideration under the old rule until 1985... First, plaintiffs contend the published criteria for consideration of the promotion to associate professor constituted a unilateral contract and the offer thereof could not be withdrawn after substantial performance had occurred. Second, plaintiffs contend that assuming the change here challenged could be validly instituted, the regulation as adopted is not in accord with the specific legislative intent expressed in the joint resolution fomenting the policy change and the new criteria are thereby invalid. The third contention of plaintiffs states the appellee should be equitably estopped to apply the 1978 policy change to them...

The appellants have a year-to-year contract reduced to writing. It is that contract which defines the respective duties of the parties and it states the contract is subject to all rules and regulations of the Board of Regents, the laws and constitutions of Oklahoma and the United States, and the policies of the University. To hold the Regents irrevocably bound to honor rules and regulations enacted at the time a professor began his employment so long as that professor was employed would result in a myriad of different regulations applicable at one time depending upon the date of employment of each individual...

The Regents, in enacting the questioned regulation for consideration of promotion, have, as far as concerns these two plaintiffs, changed a regulation which conferred a contingent right. Neither plaintiff had fulfilled the conditions precedent to compliance prior to the change in the regulation...

...the Board of Regents was authorized under the laws of this state to change the criteria for promotional consideration and that that rule was validly applied to all parties not meeting the old promotion criteria prior to the change in the rule...

Plaintiffs lastly urge the common practice of higher educational institutions provides for either a grandfather exemption or a phase-in period for application of new promotion regulations to employees currently in-service. This Court deems it unnecessary to examine the record for proof of such a "common law of universities" as is offered. Assuming its existence, such a trade practice falls to the mandate of the rules promulgated by the Board of Regents just as the common law of jurisprudence ceases to have force and effect in the face of contrary positive legislation...

...the president of Johnson informed grievant that he had been denied tenure due to his failure to acquire either a terminal degree in his major teaching field, or an approved substitute...

Grievant briefs arguments for consideration: ...that grievant was caught in a major policy shift with insufficient time to comply, and thus was arbitrarily denied tenure by strict application of new criteria which differed substantially from prior policy; and that even if application of the new policy criteria were proper, the college president arbitrarily refused to consider grievant's "professional experience, attainment, and/or training" as a substitute for his lack of a terminal degree...

The United States Supreme Court has defined an "arbitrary" decision as one "[f]ixed or arrived at through an exercise of will or by caprice, without consideration or adjustment with reference to principles, circumstances, or significance ..." United States v. Carmack, 329 U.S. 230,

It is uncontested that the sole reason grievant was denied tenure was his failure to meet the "academic credentials" criterion in the 1980 Tenure Criteria...

On appeal grievant argues that the 1980 criteria represented a substantial tightening of standards over the 1976 criteria, especially with regard to the "academic credentials" requirement. His argument is two-fold: first, that by the revised language of the new criteria, substitutes for the Ph.D. were to be the exception rather than the rule; second, that the evidence before the Board tended to show that the new policy was passed in order to "tighten up" the prior practice of regularly allowing degree substitutes. In addition, he argues that under the language of the new criteria, several of his accomplishments were precluded from consideration as degree substitutes, which would have been considered under the earlier language...

A comparison of the language of the 1976 and 1980 criteria reveals that the two policies were not so different in what was required to meet the "academic credentials" criterion as to hold unfair or capricious the application of the 1980 policy to grievant. Moreover, the evidence indicates that even under the 1976 criteria, the president had consistently been scrutinizing the credentials of those candidates offering a substitute for the terminal degree requirement. Nor can grievant claim insufficient notice for failure to comply. In 1977, and again in 1978, grievant's division chairpersons warned him that it would be necessary for him to complete his Ph.D. in order to receive tenure under the 1976 criteria...

Finally, grievant urges that his progress toward the Ph.D., including his coursework and doctoral research, should have been considered as a substitute for the degree as well. However, the Board found both that the president would not consider progress alone, absent publications arising out of the research, and that he would just as quickly have discounted such progress as a degree substitute under the 1976 criteria...

NORTH v. BOARD OF REGENTS
233 S.E.2d 411 (WVa 1977)

". . .students at free public schools have sufficient entitlement to a public education to create a property interest that would prevent summary suspension . . ." "The Court in Goss also concluded that students have a liberty interest which requires due process protection. Under this concept the student's good name, reputation, honor or integrity, which attributes are part of a person's liberty are adversely affected when a suspension is given. ..."The higher the level of achievement, the greater the loss on removal." . . .the more valuable the right sought to be deprived, the more extensive the safeguards should be. The student in this case was not being suspended, but rather he was expelled with all earned credits cancelled and he is thus entitled to substantial due process. ". . .a formal written notice of charges; sufficient opportunity to prepare to rebutt the charges; opportunity to have retained counsel at any hearing on the charges; to confront his accusers; and to present evidence on his own behalf; an unbiased hearing tribunal; and an adequate record of the proceedings..."

APPENDIX F

GUIDELINES FOR THE SOLICITATION OF OUTSIDE REFERENCES FOR CANDIDATES BEING REVIEWED FOR PROMOTION AND/OR TENURE

Research/Scholarship References

A. Candidates should identify (and review with their Department Chair and Dean) a list of at least 5 appropriate, nationally recognized professionals outside of the institution to assess the quality of scholarly activities. Outside referees for research and scholarship cannot (previously or currently) be professors of the candidate, students of the candidate, or collaborators on research. The qualifications of each referee and full disclosure of the nature of any acquaintance with the candidate must be stated and included in the dossier. For example:

References:

(1) _____, Professor and Director of the Center for the Study of Evaluation, UCIA. She is co-author of a number of widely used textbooks including Systematic Instruction (Prentice Hall) and The Teacher Competency Development System. She contributed the chapter on "Instructional Development" in the Second Handbook of Research on Teaching, 1973. _____ is a nationally recognized authority on evaluation and on research development.

Acquaintance: Brief meeting several years ago on project panel.

(2) _____, Professor and Chairman of the Department of Educational Psychology, University of Arizona. Editor of 1979 edition of Review of Research in Education, Director of National Institute on the Psychology of Teaching Methods. He is also the co-author of the second most widely used textbook on Educational Psychology.

Acquaintance: None

B. The Department Chair will select three references from the list provided by the candidate. Each Department Chair is responsible for telephoning referees to determine willingness to participate and following up to assure that the assessment will be available by our college deadlines.

C. Each reference selected will be sent 3-4 samples of scholarly products, vita, service, productivity reports for the outside referee to review. The letter to be sent to referees is attached.

LETTER TO OUTSIDE REFERENCES FOR EFFORT ASSESSMENT

Dear _____:

_____ of the _____ at _____ is currently being reviewed for promotion to _____ in _____. As part of our procedure for assessing the quality of professional activity, we seek the judgment of nationally recognized scholars in the candidate's area of specialization. We appreciate your willingness to assist us in this review.

I have enclosed a sample of (his/her) professional products. We would deeply appreciate your assessment of the quality of scholarship of those products and of their contributions to the field. Please preface your assessment by noting your acquaintance, if any, with the candidate.

We realize that fulfilling this request entails a commitment of your time, yet it is very important that we have the kind of perspective that can be provided only by a scholar of your stature.

West Virginia law prevents candidates from waiving their right of access to personnel files; therefore, all reference letters are open for candidate review.

We would like to have your assessment by December 15; thank you for your consideration in this critical professional activity.

Sincerely,

Department Chair

APPENDIX G

SAMPLE

STUDENT EVALUATION FORMS

PROCESS, DOCUMENTS

MAY NOT BE USED WITHOUT PRIOR

PERMISSION

FOR INFORMATION CALL OR WRITE:

Sally Digman
604 Allen Hall
West Virginia University
(304) 293-2705

E S
L A
P STUDENT EVALUATION OF INSTRUCTION SYSTEM: M
M RATIONALE AND DESCRIPTIVE GUIDE P
A L
S West Virginia University E
College of Human Resources and Education

This guide has been designed to describe to interested faculty members (1) the proposed uses and limitations of the results from student ratings of instruction, (2) the content of the rating instrument, (3) administration of the instrument, and (4) the processing, reporting, and interpretation of results. The components of the system are as follows:

1. The SEI Instrument
2. Rationale and Descriptive Guide
3. Catalog of Items
4. Request for SEI Instruments
5. Procedures for Administering SEI Instrument
6. SEI Report of Results
   a. Student Evaluation of Instruction
   b. Faculty Self-Evaluation
7. SEI Interpretive Guide

1. Proposed Uses and Limitations of Results

The Student Evaluation of Instruction System was developed primarily for three purposes:

(1) to provide instructors the option of utilizing a student evaluation of instruction "system" which includes not only a standardized instrument and report of results, but also additional support materials designed to assist instructors in understanding the rationale and purposes of the system, in tailoring the instrument to their specific courses and students, in administering the instrument and interpreting the results;

(2) to provide instructors with an accurate account of student perceptions of their course content and instructional practices; and

(3) to provide faculty with documentation of student perceptions which they may choose to present as one type of information for consideration in faculty evaluation procedures.

In order for the results of student ratings to serve these purposes, it is important to note that in general, students are the only persons who regularly observe the teaching activities of an instructor, and that the recent concensus of researchers who have examined ratings data extensively is that the student ratings of instruction are reliable enough, valid enough, and useful enough to provide information about teacher effectiveness for purposes of teacher improvement and evaluation. (For a more in-depth discussion on student ratings of instructors, please see the SEI Interpretive Guide which provides documentation of and references to specific related research efforts.)

However, researchers also suggest that we acknowledge the following limitations of these ratings, particularly when the results are being considered in faculty evaluation situations:

1. The rating results are actually perceptions of students which have been reduced to statistical, averaged reports. Reviewers have a tendency to view these data as precise and objective measurements of teacher effectiveness, when they are still plainly perceptions reported in numerical form.

2. Results of student ratings should be used in conjunction with other methods of assessment of teaching (such as self-evaluations, peer review of course objectives, syllabi and materials) to balance out uncertainties that arise with the use of only one method for purposes of evaluating instructor effectiveness.

3. Student ratings should be collected systematically from a range of courses taught by an instructor to provide an appropriate sample on which to base decisions. In general, researchers suggest that this sample include ratings over a minimum period of one to two years, including at least five courses, with at least two-thirds of the students enrolled responding for each course, and with at least 15 students responding for each course.

4. The instructor needs to be familiar with these research findings related to student ratings and should also be alerted to possible biases present in results due to particular course and/or student characteristics.

5. In addition, it is especially important that peer review committees and others using the data be familiar with these research findings.

In response to these limitations, this system attempts to protect faculty from inaccurate or inappropriate interpretations of results by providing this information in detailed form to reviewers of rating results in the SEI Interpretive Guide, and by encouraging each faculty member, when submitting results for faculty evaluation, to attach a statement citing any special circumstances which may have effected the results for the course evaluated.

2. Content of the Instrument

The content of the Student Evaluation of Instruction instrument was selected following in-depth review and consideration of highly regarded nationally available systems of student ratings, recent research in the areas of student ratings and teacher effectiveness, research on the old University Senate Form, proposed uses of rating results, and course types offered. The content includes global items, general items, demographic items, an instructor-chosen item section, and essay items.

The first group of standard evaluative items (1-4) are those which measure 'overall' perceptions of the course and instructor. These global items are considered the most appropriate items for faculty evaluation committees to review because they are of such high generality that they are applicable to all courses and they imply no specific philosophy of instruction.

The remaining standard evaluative items are included to tap information which is more specific than global perceptions, but yet general enough to be relevant to important aspects of the majority of courses. (The standard items are not particularly appropriate for small seminars, field experiences or individual research.) These items indicate general areas of strength or weakness to both instructors who are monitoring their various course ratings from semester to semester, and faculty evaluation committees who wish to look beyond the global report. The last standard item, referring to the extent which the SEI form is effective in evaluating the class, is not meant to reflect in any way on the instructor. Rather it is an indicator to the instructor about the adequacy of the instrument in collecting evaluative information from the students.

The demographic items which are included on the instrument are those determined by researchers which should be most helpful to instructors and other reviewers in understanding the composition of the class and identifying possible biases present in the results due to particular student or course characteristics.

Two specific essay items are included which provide students with the opportunity to give feedback on both positive and troublesome aspects of the course and instructor at a level of specificity which is not always possible with a set of multiple choice items. The items ask the students to expand upon their previous item responses and also to comment on aspects not covered in those items.

The Instructor-Chosen Item section is included to allow instructors the flexibility to design and tailor their own specific, unique, diagnostic feedback section. Instructors may write their own items or choose items from the provided "SEI Catalog of Items" to gain in-depth information about specific course assignments, specific dimensions of the course or instruction, specific objectives, contextual factors, creative or unique aspects of instruction, course relevancy, field experiences, individual research projects, small seminar groups, team teaching, and so on. This provision encourages faculty members to exercise the flexibility of the instrument by including up to 14 items which are relevant to their course, instruction and students.

3. Administration of the Instrument

Step by step instructions for requesting and administrating the instrument are provided on separate sheets, "Request for SEI Instruments" and "Procedures for Administering the SEI Instrument".

We suggest that administration of the instrument should occur during the last week or two of the course, preferably not on an exam day and preferably on a day when at least two-thirds of the students can be expected to participate in the evaluation.

If possible, the instructor should leave the room and have a responsible student or staff person collect the forms and return them to the Dean's office. If for some reason the instructor cannot leave the room or cannot have a student deliver the forms to the Dean's office, a student should still at least collect the forms and seal the envelope.

4. Processing, Reporting and Interpreting the Results

The Dean's office staff sends the completed instruments on to Computing Services to be machine-read and processed. The computer-produced reports of results and the original instruments with essay responses are then returned to the instructor following deadlines for grade reporting.

The Student Evaluation of Instruction Report of Results is a one-page computer printed report which presents the following statistical data: (1) the number of students enrolled and the number and percent of students responding; (2) for demographic items, the number of responses to each category; (3) for evaluative items, the number of responses to each category; omissions, mean, standard deviation, and comparative statistics by college and divisions; and (4) for instructor-chosen items, the number of responses to each category, omissions, mean, and standard deviation.

The Faculty "Self-Evaluation" Report of Results is also a one-page computer-produced report which instead presents the following statistical data: (1) both 1. and 2. of above, (2) the score the instructor gave himself/herself for each evaluative item, (3) the class mean for each item, and (4) a difference score between the self-evaluation and class mean.

Accompanying the report is the "SEI Interpretive Guide" designed to facilitate accurate and fair interpretation of the results by both instructors and faculty evaluation committees. The guide restates the limitations of student ratings as noted in Section (1) of this document, alerts reviewers to variables which may affect student ratings and suggests ways to use the demographic and course data to identify possible biases present in the results due to these variables, and provides assistance for interpretation of each statistical component on the reports.

STUDENT EVALUATION OF INSTRUCTION SYSTEM: PROCEDURES FOR ADMINISTERING THE INSTRUMENT

Student Evaluation of Instruction:

1. Allow at least 15 minutes for administering the instrument during a class session towards the end of the semester. Try to administer on a day when you have at least two-thirds of the class present to participate. Avoid exam days if possible.

2. Distribute the instruments and #2 pencils as needed.

3. Have students insert your "class code" number, which is assigned to you when you request your forms and can be found on your packets in the code box at the top right of the instrument. Students must also blacken in the circles corresponding to the code number. Emphasize correct blackening of circles by drawing attention to examples on the form. If this is not done, the optical-scanning machine cannot read the responses.

4. Ask the students to read all directions and items thoroughly as they respond to the instrument. You may wish to read or paraphrase directions, comment on the seriousness of their ratings, or describe how the results will be used. Again, please emphasize correct blackening of the circles to enable the optical-scanning machine to read the forms.

5. If you utilize the Instructor-Chosen Item section, you will need to make a list of those items (up to 14 items), numbered from 27 up to 40, available to students. You may wish to write them on the board or distribute individual copies to students. Please retain a copy of them for your future use with the Reports of Results.

6. If possible, select a student or another staff member to collect completed instruments, seal them in the "Student Evaluation of Instruction" envelope, and deliver them to the Dean's office.

7. Ask for questions.

8. Leave the room. If the course is an evening or off-campus course, you may choose to return the packet yourself after a student has collected and sealed them in the envelope.

Faculty Self-Evaluation:

1. Insert the CLASS CODE number in the box in the upper right of the instrument.

2. Fill out the instrument, responding to each item in terms of how well you felt you did in that area (do not mark demographic items).

3. Place the form back into the "Faculty Self-Evaluation" envelope and seal.

4. Deliver the envelope to the Dean's Office.

WEST VIRGINIA UNIVERSITY

NCS Trans-Optic EB01-22041 32 A2302

COLLEGE OF HUMAN RESOURCES AND EDUCATION
STUDENT EVALUATION OF INSTRUCTION

USING LEAD PENCIL ONLY

CORRECT ●

INCORRECT ⊘ ⊗ ◐ O ◪

MAKE NO STRAY MARKS

CODE NUMBER

0	0	0	0	0
1	1	1	1	1
2	2	2	2	2
3	3	3	3	3
4	4	4	4	4
5	5	5	5	5
6	6	6	6	6
7	7	7	7	7
8	8	8	8	8
9	9	9	9	9

GENERAL DIRECTIONS:

1. Write the code number the instructor gives you in the code boxes and then TOTALLY FILL IN the corresponding circles.
2. Use PENCIL to TOTALLY FILL IN THE CIRCLES corresponding to the response you choose. ERASE mismarks completely.
3. Please respond thoughtfully as the results of this evaluation will be used to provide feedback to your instructor who may choose to use these results for annual reviews and promotion and tenure evaluations. Results of this evaluation will not be sent to instructors until final grades are sent in. Thank you for providing your individual perceptions on aspects of this course.

COPYRIGHT 1984

Using the adjectives POOR, FAIR, SATISFACTORY, GOOD, and EXCELLENT, describe your instructor and course. Please mark NA if the item does not apply to your instructor or course.

	NA	POOR	FAIR	SATISFACTORY	GOOD	EXCELLENT
1. The overall quality of this course was	○	○	○	○	○	○
2. In general, this instructor's teaching was	○	○	○	○	○	○
3. In general, evaluative and grading techniques (tests, papers, projects, etc.) were	○	○	○	○	○	○
4. The contribution of this course in increasing knowledge and competence in this area was	○	○	○	○	○	○
5. At the onset of the course, the instructor's written communication of up-coming course content and requirements was	○	○	○	○	○	○
6. Adherence to the above mentioned course content and requirements across the semester was	○	○	○	○	○	○
7. The instructor's advance preparation and organization of each class session was	○	○	○	○	○	○
8. The clarity of explanations of course content and summaries of major topics were	○	○	○	○	○	○
9. The instructor's knowledge of the course content appeared to be	○	○	○	○	○	○
10. The ability of the instructor to provide intellectual stimulation was	○	○	○	○	○	○
11. The instructor's interest in students learning the content was	○	○	○	○	○	○
12. The class sessions, as far as being interesting and attention-holding, were	○	○	○	○	○	○
13. The instructor's encouragement for student discussion and questions, in view of class size, was	○	○	○	○	○	○
14. The instructor's clarity and completeness in answering questions was	○	○	○	○	○	○
15. The respect the instructor showed toward individual students was	○	○	○	○	○	○
16. The contribution of assignments/materials to the understanding of the course content was	○	○	○	○	○	○
17. If exams were given, selection of exam questions to represent course content and to emphasize major topics was	○	○	○	○	○	○
18. Constructiveness of instructor comments to you during class or on your work was	○	○	○	○	○	○
19. If asked for, the help the instructor provided during office hours or appointment time was	○	○	○	○	○	○
20. The extent to which these items, PLUS THE ITEMS ON THE BACK, allow you to evaluate your instructor and course is	○	○	○	○	○	○

In order for those reviewing the results of this evaluation to understand the composition of this class, please fill in the corresponding circles for items 21–26.

21. What is your class status?
FRESHMAN ○ SOPHOMORE ○ JUNIOR ○ SENIOR ○ GRADUATE ○

22. What is your grade point average?
0-2.0 ○ 2.1-2.6 ○ 2.7-3.3 ○ 3.4-4.0 ○ NO GPA YET ○

23. For your degree program, was this course a ...
MAJOR REQUIREMENT ○ MAJOR ELECTIVE ○ GENERAL ELECTIVE ○

24. Upon registration, were you looking forward to this course?
VERY MUCH ○ SOMEWHAT ○ NEUTRAL ○ NOT AT ALL ○

25. Compared to other courses, how much effort have you put into this course?
MUCH MORE ○ SOMEWHAT MORE ○ ABOUT THE SAME ○ LESS THAN ○

26. In what type of course setting do you feel you learn the most?
LECTURE ○ LECTURE DISCUSSION ○ GROUP ACTIVITIES ○
PROGRAMMED (SELF-PACED) INSTRUCTION ○ INDIVIDUAL PROJECTS ○

Consider the following two essay items carefully. Then write your comments below each item.

1. Expand on the above items in which you rated your instructor EXCELLENT, and/or comment on other valuable aspects of the course and instructor.

2. Expand on the above items in which you gave your instructor a relatively LOW rating, and/or comment on other problem areas with the course or instructor. Suggest ways in which the instructor or course may be improved.

Your instructor may desire your feedback on additional aspects of this course. If so, mark your answers to the items provided to you by your instructor beginning with the circles numbered 27.

	1	2	3	4	5
27.	○	○	○	○	○
28.	○	○	○	○	○
29.	○	○	○	○	○
30.	○	○	○	○	○
31.	○	○	○	○	○
32.	○	○	○	○	○
33.	○	○	○	○	○
34.	○	○	○	○	○
35.	○	○	○	○	○
36.	○	○	○	○	○
37.	○	○	○	○	○
38.	○	○	○	○	○
39.	○	○	○	○	○
40.	○	○	○	○	○

HRF STUDENT EVALUATION OF INSTRUCTION: REPORT OF RESULTS

INSTRUCTOR: J. DOE
COURSE: HRF 110
SEMESTER: FALL 1986
TIME AND DAY: 9:00 MW
CAMPUS: ON

STUDENTS ENROLLED: 14
STUDENTS RESPONDING: 11
PERCENT RESPONDING: 79 %

DEMOGRAPHIC ITEMS:

CLASS STATUS?		GPA?		REQUIRED?		LOOKING FORWARD?		EFFORT COMPARED?		PREFERRED COURSE?	
FR:	0	0.0-2.0:	0	SPECIFICALLY REQUIRED:	9	VERY MUCH:	1	MUCH MORE:	1	LECTURE:	0
SO:	0	2.1-2.6:	0	CHOICE FROM REQ. GROUP:	0	SOMEWHAT:	7	SOME MORE:	8	LEC/DISC:	4
JR:	0	2.7-3.3:	1	ELECTIVE:	1	NEUTRAL:	3	ABOUT SAME:	2	GR ACTIVITY:	5
SR:	0	3.4-4.0:	10	OMITS:	1	NOT AT ALL:	0	LESS THAN:	0	PROG, INSTR:	0
GR:	11	NO GPA:	0			OMITS:	0	OMITS:	0	IN, PROJECT:	2
OMITS	0	OMITS:	0							OMITS:	0

GLOBAL ITEMS:	RESPONSE FREQUENCIES NA	POOR	FAIR	SATS	GOOD	EXC	OMIT	CLASS MEAN	STD	RELATIVE POSITION HRE	DIV
1. THE OVERALL QUALITY OF THIS COURSE WAS ...	0	0	0	0	1	10	0	4.9	0.3	+	+
2. IN GENERAL, THIS INSTRUCTOR'S TEACHING WAS ...	0	0	0	0	2	9	0	4.8	0.4	+	+
3. IN GENERAL, EVALUATIVE AND GRADING TECHNIQUES WERE ...	0	0	0	2	3	6	0	4.4	0.8	W	W
4. THE CONTRIBUTION OF THIS COURSE IN INCREASING KNOWLEDGE & COMPETENCE...	0	0	0	0	3	8	0	4.7	0.5	+	W
GENERAL ITEMS:											
5. AT THE ONSET OF THE COURSE, THE INSTRUCTOR'S WRITTEN COMMUNICATION OF UP-COMING COURSE CONTENT AND REQUIREMENTS WAS ...	0	0	0	0	4	7	0	4.6	0.5	W	W
6. ADHERENCE TO THE ABOVE MENTIONED COURSE CONTENT AND REQUIREMENTS WAS...	0	0	0	0	2	9	0	4.8	0.4	+	+
7. THE INSTRUCTOR'S ADVANCE PREPARATION & ORGANIZATION OF EACH CLASS ...	0	0	0	0	1	10	0	4.9	0.3	+	+
8. THE CLARITY OF EXPLANATIONS OF COURSE CONTENT AND SUMMARIES OF MAJOR TOPICS WAS ...	0	0	0	0	4	7	0	4.6	0.5	W	W
9. THE INSTRUCTOR'S KNOWLEDGE OF THE COURSE CONTENT APPEARED TO BE ...	0	0	0	0	3	8	0	4.7	0.5	W	W
10. THE ABILITY OF INSTRUCTOR TO PROVIDE INTELLECTUAL STIMULATION WAS ...	0	0	0	0	0	11	0	5.0	0.0	+	+
11. THE INSTRUCTOR'S AND INTEREST IN STUDENTS LEARNING THE CONTENT WAS ...	0	0	0	0	1	10	0	4.9	0.3	+	+
12. THE CLASS SESSIONS, AS FAR AS BEING INTERESTING & ATTENTION-HOLDING...	0	0	0	0	3	8	0	4.7	0.5	+	+
13. THE INSTRUCTOR'S ENCOURAGEMENT OF STUDENT DISCUSSION & QUESTIONS WAS..	0	0	0	0	1	10	0	4.9	0.3	+	+
14. THE INSTRUCTOR'S CLARITY AND COMPLETENESS IN ANSWERING QUESTIONS WAS..	0	0	0	0	4	7	0	4.6	0.5	W	W
15. THE RESPECT THE INSTRUCTOR SHOWED TOWARD INDIVIDUAL STUDENTS WAS ...	0	0	0	0	0	11	0	5.0	0.0	+	+
16. CONTRIBUTION OF ASSIGNMENTS/MATERIALS TO UNDERSTANDING OF CONTENT...	0	0	0	0	1	10	0	4.9	0.3	+	+
17. IF EXAMS WERE GIVEN, SELECTION OF EXAM QUESTIONS TO REPRESENT CONTENT AND TO EMPHASIZE MAJOR TOPICS WAS ...	7	0	0	0	2	2	0	4.5	0.6	W	W
18. CONSTRUCTIVENESS OF INSTRUCTOR COMMENTS WAS ...	0	0	0	0	3	7	1	4.7	0.5	+	+
19. IF ASKED FOR, THE HELP THE INSTRUCTOR PROVIDED DURING OFFICE HOURS	1	0	0	0	1	8	1	4.9	0.3	+	+
20. THE EXTENT TO WHICH THESE ITEMS, PLUS THE ITEMS ON THE BACK ALLOW YOU TO EVALUATE YOUR INSTRUCTOR AND COURSE.	0	0	0	1	4	5	1	4.4	0.7		
INSTRUCTOR-CHOSEN ITEMS:											
27.	0	0	0	0	0	0	11				
28.	0	0	0	0	0	0	11				
29.	0	0	0	0	0	0	11				
30.	0	0	0	0	0	0	11				
31.	0	0	0	0	0	0	11				
32.	0	0	0	0	0	0	11				
33.	0	0	0	0	0	0	11				
34.	0	0	0	0	0	0	11				
35.	0	0	0	0	0	0	11				
36.	0	0	0	0	0	0	11				
37.	0	0	0	0	0	0	11				
38.	0	0	0	0	0	0	11				
39.	0	0	0	0	0	0	11				
40.	0	0	0	0	0	0	11				

SEE THE SFI INTERPRETIVE GUIDE FOR ASSISTANCE IN REVIEWING YOUR RESULTS.

PLEASE CONTACT THE DEAN'S OFFICE IF THERE ARE ERRORS IN YOUR REPORT.

INSTRUCTOR: J. DOE
COURSE: HRE 110
SEMESTER: FALL 1986
TIME AND DAY: 9:00 MW
CAMPUS: ON

STUDENTS ENROLLED: 14
STUDENTS RESPONDING: 11
PERCENT RESPONDING: 79 %

DEMOGRAPHIC ITEMS:

CLASS STATUS?		GPA?		REQUIRED?		LOOKING FORWARD?		EFFORT COMPARED?		PREFERRED COURSE?	
FR:	0	0.0-2.0:	0	SPECIFICALLY REQUIRED:	9	VERY MUCH:	1	MUCH MORE:	1	LECTURE:	0
SO:	0	2.1-2.5:	0	CHOICE FROM REQ. GROUP:	0	SOMEWHAT:	7	SOME MORE:	8	LEC/DISC:	4
JR:	0	2.6-3.0:	1	ELECTIVE:	1	NEUTRAL:	3	ABOUT SAME:	2	GR. PROJECT:	5
SR:	0	3.1-3.5:	10	OMITS:	1	NOT AT ALL:	0	LESS THAN:	0	PROG. INSTR:	0
GR:	11	3.6-4.0:	0			OMITS:	0	OMITS:	0	IN. PROJECT:	2
OMITS	0	OMITS:	0							OMITS:	0

	SELF-EVALUATION	CLASS MEAN	DIFFERENCE SCORE
1. THE OVERALL QUALITY OF THIS COURSE WAS ...	5.0	4.9	0.1
2. IN GENERAL, THIS INSTRUCTOR'S TEACHING WAS ...	5.0	4.8	0.2
3. IN GENERAL, EVALUATIVE AND GRADING TECHNIQUES WERE ...	4.0	4.4	-0.4
4. THE CONTRIBUTION OF THIS COURSE IN INCREASING KNOWLEDGE & COMPETENCE...	5.0	4.7	0.3
GENERAL ITEMS:			
5. AT THE ONSET OF THE COURSE, THE INSTRUCTOR'S WRITTEN COMMUNICATION OF UP-COMING COURSE CONTENT AND REQUIREMENTS WAS ...	5.0	4.6	0.4
6. ADHERENCE TO THE ABOVE MENTIONED COURSE CONTENT AND REQUIREMENTS WAS...	4.0	4.8	-0.8
7. THE INSTRUCTOR'S ADVANCE PREPARATION & ORGANIZATION OF EACH CLASS ...	5.0	4.9	0.1
8. THE CLARITY OF EXPLANATIONS OF COURSE CONTENT AND SUMMARIES OF MAJOR TOPICS WAS ...	4.0	4.6	-0.6
9. THE INSTRUCTOR'S KNOWLEDGE OF THE COURSE CONTENT APPEARED TO BE ...	5.0	4.7	0.3
10. THE ABILITY OF INSTRUCTOR TO PROVIDE INTELLECTUAL STIMULATION WAS ...	5.0	5.0	0.0
11. THE INSTRUCTOR'S AND INTEREST IN STUDENTS LEARNING THE CONTENT WAS ...	5.0	4.9	0.1
12. THE CLASS SESSIONS, AS FAR AS BEING INTERESTING & ATTENTION-HOLDING...	5.0	4.7	0.3
13. THE INSTRUCTOR'S ENCOURAGEMENT OF STUDENT DISCUSSION & QUESTIONS WAS..	5.0	4.9	0.1
14. THE INSTRUCTOR'S CLARITY AND COMPLETENESS IN ANSWERING QUESTIONS WAS..	4.0	4.6	-0.6
15. THE RESPECT THE INSTRUCTOR SHOWED TOWARD INDIVIDUAL STUDENTS WAS ...	5.0	5.0	0.0
16. CONTRIBUTION OF ASSIGNMENTS/MATERIALS TO UNDERSTANDING OF CONTENT...	5.0	4.9	0.1
17. IF EXAMS WERE GIVEN, SELECTION OF EXAM QUESTIONS TO REPRESENT CONTENT AND TO EMPHASIZE MAJOR TOPICS WAS ...	0.0	4.5	-4.5
18. CONSTRUCTIVENESS OF INSTRUCTOR COMMENTS WAS ...	5.0	4.7	0.3
19. IF ASKED FOR, THE HELP THE INSTRUCTOR PROVIDED DURING OFFICE HOURS	5.0	4.9	0.1
20. THE EXTENT TO WHICH THESE ITEMS, PLUS THE ITEMS ON THE BACK ALLOW YOU TO EVALUATE YOUR INSTRUCTOR AND COURSE.	4.0	4.4	-0.4

INSTRUCTOR-CHOSEN ITEMS:

27.
28.
29.
30.
31.
32.
33.
34.
35.
36.
37.
38.
39.
40.

SEE THE SEI INTERPRETIVE GUIDE FOR ASSISTANCE IN REVIEWING YOUR RESULTS.
PLEASE CONTACT THE DEAN'S OFFICE IF THERE ARE ERRORS IN YOUR REPORT.

APPENDIX H
SAMPLE FORM 1
ADMINISTRATOR EVALUATION: FUNCTIONS

Name _____ Position _____

Scale:

5	4	3	2	1	X
Most Effective	Very Effective	Average Effectiveness	Somewhat Effective	In-Effective	Don't Know

(Narrative comments must be added (on the back) to document each "most effective" (5) and each "ineffective" (1) rating)

Rating

_____ 1. Demonstration of ability to communicate with all of the organization
_____ 2. Demonstration of leadership skills
_____ 3. Demonstration of decision-making skills
_____ 4. Demonstration of planning skills
_____ 5. Demonstration of initiative
_____ 6. Demonstration of organizational skills
_____ 7. Demonstration of ability to deal with special problems
_____ 8. Demonstration of attention to detail
_____ 9. Demonstration of completion of work on time
_____ 10. Demonstration of completion of assigned tasks
_____ 11. Demonstration of quality of work accomplished
_____ 12. Effectiveness in working with students
_____ 13. Effectiveness in working with staff
_____ 14. Effectiveness in working with faculty
_____ 15. Effectiveness in working with other administrators
_____ 16. Demonstration of personal integrity
_____ 17. Demonstration of appropriate work habits
_____ 18. Continued professional development
_____ 19. Creation of a positive climate of high expectation
_____ 20. Comparison with other administrators in college

For Use As Questionnaire, Above Line

For Use As Summary Evaluation, Below Line

Strengths:
Area(s) for Improvement:

_____ _____ _____ _____
Administrator Date Evaluator Date

APPENDIX H
SAMPLE FORM 2

ADMINISTRATOR EVALUATION: POSITION DESCRIPTION

Name _____ Position _____

Rating	Elements of Position Description	Evidence of Achievement (Documents supplied by administrator being evaluated)
_____	1.	
_____	2.	
_____	3.	
_____	4.	
_____	5.	
_____	6.	
_____	7.	
_____	8.	
_____	9.	
_____	10.	

Scale:

5	4	3	2	1	X
Most Effective	Very Effective	Average Effectiveness	Somewhat Effective	In-Effective	Don't Know

- - - -

APPENDIX H
SAMPLE FORM 3
ADMINISTRATOR EVALUATION

_____ _____ _____
Name Position Date

To what extent does the performance of the administrator demonstrate each indicator:

Use this seven point scale

7 6 5 4 3 2 1 X

Highest very effective — Average — Lowest ineffective — Don't know can't rate

A. Interpersonal Skills	Rating	B. Judgment	Rating
1. Listening skills	_____	1. Consistently applies policy	_____
2. Positive staff relationship	_____	2. Timeliness of decisions	_____
3. Availability	_____	3. Degree decisions are based on data	_____
4. Quality of written communication	_____	4. Soundness of decisions	_____
5. Quality of verbal communication	_____	5. Priority settings	_____
6. Willingness to consult others	_____	6. Fairness of acting	_____
7. Working with peers	_____	7. Rewarding performance	_____
8. Community relations	_____	8. Problem solving skills	_____
9. Working with committees	_____	9. Performance evaluation	_____
10. Student relationship	_____	10. Manages conflict	_____

C. Leadership	Rating	D. Administration	Rating
1. Encourages participation	_____	1. Budget management	_____
2. Represents unit with higher administration	_____	2. Facility management	_____
3. High expectations	_____	3. Attention to details	_____

C. Leadership (cont.)	Rating
4. Commitment to unit	____
5. Secures resources for unit	____
6. Planning skills	____
7. Developing staff members	____
8. Acceptance of new ideas	____
9. Encourages initiative	____
10. Develops curriculum/ program	____

D. Administration (cont.)	Rating
4. Job knowledge	____
5. Quality of work	____
6. Quantity of work	____
7. Delegation of authority	____
8. Organizing skills	____
9. Maintenance of data/ records	____
10. Time management	____

E. Personal	Rating
1. Personal professional development	____
2. Vision of future	____
3. Professionalism	____
4. Appearance	____
5. Personal emotional stability	____
6. Integrity	____
7. Approachability	____
8. Motivation skills	____
9. Initiative	____
10. Classroom instruction	____

Summary Comments

_____ _____
Evaluator Date

_____ _____
Administrator Date

ADMINISTRATOR EVALUATION

(Adapted from the policy written by Diane L. Reinhard and Kathryn Lovell for the College of Human Resources and Education, West Virginia University)
(Sample Policy)

A good evaluation system has policies that are clearly understood both by those who provide evaluative data and by those who are evaluated.

PURPOSES OF THE EVALUATION

The purpose of the administrator evaluation is to provide a cumulative assessment of the individual's achievements in his or her administrative responsibilities and activities.

The cumulative assessment is used in making decisions about continuation in the role, appropriate modifications of the role/responsibilities, and appropriate changes in performance behavior to address any weaknesses identified in the evaluation.

FREQUENCY OF EVALUATION

1. The cumulative administrative performance of administrators is evaluated every three years.

2. Annual evaluative feedback is provided to all administrators by their immediate superordinate in a conference.

3. For those administrators who also have faculty appointments, the appropriate faculty peer review committee evaluates annually the individual's performance in research, instruction, and service.

DEVELOPMENT OF COMMITTEES FOR ADMINISTRATIVE PERFORMANCE EVALUATION

Evaluation committees will be established for the evaluation of each administrator by the following process:

The administrator to be evaluated will identify one faculty member to serve on the evaluation committee. The immediate superior and the faculty member will select two additional faculty members, one staff member and one student (if an academic or student services administrator). These shall meet and select a chair from among their members.

RESPONSIBILITIES OF THE EVALUATION COMMITTEES

1. Each evaluation committee is responsible for establishing and carrying out procedures for gathering data from faculty, staff, and students within a specific time frame. The data gathered should address overall performance, areas of strength, and areas needing improvement. Committees may use open-ended questions, structured interviews, and/or rating scales to gather data.

2. No institution-wide rating scale will be used, but the Deans' Office will make available samples of scales and ideas about administrator rating scales that they may wish to adapt or adopt.

3. Each evaluation committee should meet with the administrator to be evaluated to identify any items about which the administrator would like specific feedback.

4. Evaluation committees should assure that all individuals who wish to contribute evaluative information to the committee can do so. However, the committees should not accept nor consider anonymous contributions.

5. Evaluation committees should assure that information is gathered from those who have the greatest knowledge of the individual's performance. This is normally those persons within one level who interact with the administrator.

6. Evaluation committees should maintain confidentiality in their process and in their reporting. It may be advisable for committees to develop a coding system for individual data instead of using names. Reports should include group, not individual, data.

7. Each evaluation committee is responsible for preparing a summary report of the evaluation that includes identification of areas of strength and areas needing improvement.

8. The administrator will review the draft report for accuracy of information and will, if requested, meet with the committee to make corrections.

9. The evaluation committee will forward the final report to the administrator superordinate.

SUPERORDINATE OF ADMINISTRATOR BEING EVALUATED

1. The superordinate, before receiving the committee report, will gather and analyze evaluative information from other college administrators and external sources familiar with the administrator's performance. The superordinate will draft a report that includes indentification of areas of strength and areas needing improvement and will submit the draft report to the administrator being evaluated.

2. The administrator will review the draft report for accuracy of information and will, if requested, meet with the superordinate to make corrections.

3. The superordinate will review the committee evaluation report and recommendations and will reach decisions about continuation in the role, appropriate modifications of the role/responsibilities, and appropriate changes in behavior to address any areas identified as needing improvement.

4. The superordinate will prepare and send to the administrator a statement of these decisions and will meet with the administrator to review the evaluation.

5. The superordinate will provide an oral report of the administrator's evaluation to the evaluation committee.

SAMPLE LETTER INSIDE INSTITUTION

Dear

It is part of the administrative policy of the College to evaluate the administrators of the College every three years. The evaluation process is carried out in two ways: an internal committee composed of faculty, staff, and students gathers evaluative information within the College, and I, as the Dean of the College, solicit the evaluations of administrators within and outside the College who are familiar with the individual's performance.

This year, ( ) will be evaluated. Because you have worked with each and can speak knowledgeably about the quality of their administrative activities, I would deeply appreciate your participating in their evaluations. If you are willing to contribute, please do the following:

1. Please complete the enclosed rating scales, basing your ratings on performance over the past three years.

2. Arrange for an interview with me prior to _____. In preparation for this interview, please reflect upon the following questions for each person being evaluated and, where applicable, be ready to cite examples:

   a. To what degree have you found him/her to be accessible? What has been the quality of your interactions with him/her and of any necessary follow-up activities?

   b. What characterizes his/her administrative style? Does he/she establish and maintain effective interpersonal relationships? Is he/she a good communicator?

   c. To what degree does he/she facilitate and/or hinder the effective operation of your program?

   d. To what extent is he/she able to represent the best interests of the institution as well as of the program?

   e. What are his/her greatest strengths and achievements? In what kinds of endeavor is the quality of his/her work at its highest level?

   f. What aspects of his/her performance need improvement?

It is very important to our College that we gather a broadly representative view of the performance of each of these administrators. Although I realize that providing this information will take your time, I do hope that you will assist us.

I look forward to hearing from you.

Sincerely,

SAMPLE LETTER OUTSIDE INSTITUTION

Dear

It is part of the administrative policy of the College to evaluate the administrators of the College every three years. The evaluation process is carried out in two ways: an internal committee composed of faculty, staff, and students gathers evaluative information within the College, and I, as the Dean of the College, solicit the evaluations of administrators within and outside the College who are familiar with the individual's performance.

This year, (name, title) will be evaluated and has identified you as one who can speak knowledgeably about the quality of his/her administrative activities outside the College. If you are willing to participate in the evaluation, I would deeply appreciate your comments about the following:

1. What is the nature and extent of your interaction with the administrator?

2. To what degree have his/her responses to your requests for information been timely and of high quality?

3. To what degree has he/she served as a good advocate for the College and also assumed the larger perspective to work effectively for the good of the University, the state, and the profession?

4. What characterizes his/her efforts in leadership, planning, and innovation? (Examples would be most helpful.)

5. What is his/her style in interpersonal communications? How effective is it?

6. What are his/her greatest strengths as an administrator?

7. How might his/her performance be improved?

It is very important,both to the administrator and to our College, that we gather a broadly representative view of his/her performance. Although I realize that providing this information will take your time, I do hope that you will assist us.

The evaluation process is scheduled to be completed on _____, it would be helpful if you could provide your responses by _____. If you wish your comments to be anonymous, please sign the enclosed return envelope but do not sign the evaluation.

Thank you for contributing to our evaluation process.

Sincerely,

APPENDIX H
COMPONENTS OF ADMINISTRATOR EVALUATION

Based on a review of the literature, by Karry L. Guillory, University of Arkansas administrative intern, fifty-seven essential components were identified.

Prerequisites

1. Determine if there is a genuine need for evaluating administrators.
2. Determine the attitudes of administrators regarding appraisal.
3. Enlighten administrators about the value of evaluation.
4. Design the program to be compatible with the organization.
5. Design the program to fit the organization's current mission and goals.
6. Acquire commitment and support of upper administration.
7. Obtain broad participation in the development of the system to include those who will be evaluated and their supervisors.
8. Ensure each administrator has a clearly written position description.
9. Formulate a task force.
10. Conduct literature research and gather information on current evaluation practices of comparable institutions.
11. Acknowledge and communicate the limitations of the system.
12. Where appropriate, solicit the assistance of consultants.
13. Consult legal representatives.
14. Conduct a pilot test of the evaluation plan.
15. Plan a timeframe for periodically reviewing the evaluation program.

Purposes

16. Purposes should be clearly stated in writing.

The following purposes should be represented in the system.

17. Developmental
18. Judgemental
19. Informational

20. Criteria should be stated clearly in writing.
21. Criteria should not rely solely on personal traits that cannot be defined in terms of overt observable behavior.
22. Evaluation criteria should be objective.
23. Criteria should be directly related to the duties of the administrators being appraised.
24. Criteria should include the methods used as well as the results achieved.
25. Criteria should include observable job behaviors.
26. Criteria should include the achievement of previously agreed to objectives.
27. Criteria should include performance of the general functions of management.
28. Criteria should include both quantitative and qualitative measures.
29. Criteria should be flexible enough to allow for differences in administrators performing similar jobs.
30. The weighting of various criteria should be known prior to evaluations.

Standards

31. Standards for evaluating performance should be established.
32. Standards should be written and publicly stated.
33. Standards should be stated objectively.
34. Administrators should participate in the development of the standards used.
35. Standards should be the same for all persons of comparable responsibilities.

Sources of Evaluation Data

36. Data should be required from a variety of independent sources.
37. Data should be obtained only from those familiar with the duties of the person being evaluated.
38. Procedures should include a requirement for self-evaluations.

Policies and Procedures

39. Policies and procedures should be precise and in writing.
40. Policies and procedures should be designed in consideration of the institution's mission.

(Scheduling)

41. Policies and procedures should provide a clearly outlined timetable for all aspects of the evaluation process.
42. Policies and procedures should require that evaluation be continuous rather than once-a-year or every 3-5 years.

(Instrumentation)

43. Policies and procedures should include a requirement for evaluation instrucments to be tested for validity and reliability.
44. Policies and procedures should allow for the tailoring of instruments to fit unique aspects of individual manager's responsibilities.
45. Instruments and forms should be precise and easy to understand.

(Evaluation Results)

46. Policies and procedures should indicate how evaluation results are to be used.
47. Policies and procedures should provide that administrators are to be shown or given a copy of their evaluation report.
48. Policies and procedures should ensure that results of the evaluation process are used to establish future goals.
49. Policies and procedures should indicate how results are to be used for making judgmental decisions.
50. Policies and procedures should provide for adequate protection of due process.
51. Policies and procedures should provide a means for employees to appeal or grieve the results of their evaluation.
52. Policies and procedures should convey the confidentiality of appraisal results.

Implementation

53. The evaluation system should not require an unreasonable amount of time to implement given the benefits derived from it.
54. Prior to implementing the program and periodically thereafter (for new employees), orientation sessions should be provided.
55. During the implementation of the appraisal system, and subsequently as needed, training programs should be provided for everyone involved.
56. Managers should be given specific training in conducting appraisal interviews.

Evauation Of The Program

57. Plans should be made to periodically evaluate the system.

APPENDIX I

GUIDELINES FOR EVALUATION OF PART-TIME FACULTY

1. Criteria must be developed and approved for the selection of part-time faculty.

2. Due to the need to secure part-time faculty in a short period of time, a pool of pre-selected persons should be developed using the approved criteria.

3. A procedure to ensure fair and equitable selection from the pool should be in place and followed. Attention to the Affirmative Action policy must be enforced.

4. All persons should have an annual evaluation before being allowed to teach a class in subsequent term.

5. A handbook for part-time faculty should be provided for each part-time faculty member before the annual orientation. This will assist in knowing what questions to ask.

6. To the extent possible, part-time faculty should be involved in the life of the college and program unit including socials, faculty meetings, and cultural activities.

7. A full-time faculty member or administrator should be assigned to oversee and assist each part-time faculty member. No full-time faculty member or administrator should oversee more than 5 to 7 part-time faculty as more than the equivalent of one course release.

8. Part-time faculty should be evaluated every semester in every class they teach. This should include student data, observation by the oversight person, and all instruments and documents.

9. The evaluation must be in writing and discussed with and a copy provided to the part-time faculty member.

10. At least one recommendation for improvement should be made to the part-time faculty member. Follow up by the program administrator or overseer is crucial.